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## Indigenous African ethics and land distribution

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This article focuses on land allocation through invoking African values. It seeks to provide a contrast to other rectifications of skewed colonial land distributions from African values, and it also offers an alternative to the land distributive justice that has tended to be premised on Western entitlement or rights-oriented thought. The article proposes conceptualising land distribution specifically based on indigenous African ethics of *Unhu/ubuntu*, a quintessential southern African ethic of being humane and living communally. The humaneness and communitarian life are centred on values such as relationality, cooperation, common good and equal distribution of communal goods. Through articulating each value, and indicating its usefulness in land distribution, the article hopes to provide an African account of distributive justice in respect of land redistribution.

### Introduction

Which African ethical values are relevant for establishing acceptable relations in land distribution? And how could these values contribute to sustainable future land distribution, especially beyond (other) rectification justice theories and or liberal rights-oriented distributive justice theories? These are the main questions I answer in this article.

Some other ideas to land redistribution, in southern Africa, from an African ethical perspective have been proffered, yet most of these have not fully explored the possibility of using “African ethical values” for establishing relations that are inclusive and offer mutual flourishing for multicultural and multiracial African states. For instance, I note that Holtzhausen (2015) identifies the ubuntu value of compassion and concern as the basis upon which land redistribution ought to be based. For Holtzhausen, a landowner ought to be sympathetic to the extent of helping or assisting his/her workers by providing them with a descent means of living. By saying this, Holtzhausen is interested in the welfare that comes from charity. However, Holtzhausen falls into the trap of not considering the real issue that the workers actually want to have access to land and not to be a charity case of landowners; and the argument Holtzhausen poses is interested in maintaining the status quo brought by skewed colonial land distributions. As an alternative to Holtzhausen’s view, I propose to use African ethics that allows for inclusive land redistribution that removes a skewed landownership status quo.

Apart from Holtzhausen, I also identify the views of Nyerere (1987), and du Plessis (2011) who present the idea of land distribution from an African communal perspective. These scholars opine that land reform ought to promote the common good, where a fair distribution of land means having equal access to land. Nyerere (1987) clearly encourages a change of attitude on the conceptualisation of land and what is to be achieved in land reform. He argues that land is an instrument for the betterment of human existence; however, Nyerere’s struggle was mostly for the natives/blacks who were sidelined during colonial governance (there is a nuance of selective advancement). In contrast to Nyerere, my line of argument will be for an inclusive human flourishing that is not based on race or former positions. Rather, I appeal to the African ethical instruction of inclusive common good as the basis for my argument.

Another scholar who wades into the African ethics and land issue debate is du Plessis (2011), who observes that in traditional southern African societies, social relations encompassed land ownership and obligated individuals with duties of shared entitlement, common value, and access to land. Beyond stating these views, du Plessis does not make a connection between land distribution and African ethical values, but focuses on contrasting the traditional values with contemporary legal systems. Unlike du Plessis, I will have an in-depth discussion of the link that can be made between land distribution and African ethical values. My focus will be on enunciating ideas of collectivism based on supportive and connected humane systems.

Separately from scholars who focus on land reform in an African ethical system, there are others who made efforts to understand land reform and distribution from Western perspectives, especially the entitlement (rights) thinking. Most philosophers in this school of thought base their postulations on the Lockean proviso, recently invoked by Robert Nozick (1974). Shaw (2003) and Scalet and Schmidtz (2010) are also in this school of thought. They maintain that property entitlement is to be respected (as per the colonial arrangement), since that is the only form of traceable historical entitlement transactions. In addition, they share the view that taxes should be imposed on white commercial farmers (owners of huge tracks of farmland). The taxes would then be used to ameliorate the living conditions of many landless blacks. The weakness of this rectification postulation is that it perpetuates skewed land ownership and inevitably continues the racial squabbles linked to land imbalances (Masitera 2017). Furthermore, I note that the rectification justice, postulated by Shaw, and Scalet and Schmidtz, is divisive as it delineates differences in race and economic status; unlike this proposition, mine is a non-divisive, inclusive perspective. The view I have in mind is a society that values each other's being, and having access to resources (access to land for all interested). In that sense, my view moves away from the Western standpoint of prioritising individual liberal entitlement rights to African entitlement rights of communal ownership and beneficence.

As already suggested, my version of land distribution is based on an African ethical value system; the value system I have in mind is *Unhu/ubuntu*. By *Unhu/ubuntu*, I roughly mean the indigenous African moral precepts that encourage the building of communal relations that lead to inclusivity that promotes the flourishing for all people. I further argue that the use of values in land distribution is necessary in building acceptable relations in the present and in the future. The idea of building acceptable future relations is to be premised upon using the values to influence and conscientise people in the benefits of deducing social living and organisation from indigenous African values. My aim is to proffer that African values should inform land distribution and specifically the values of relationality, cooperation, common good, equal distribution and access to resources. These are instructive on what land distribution ought to be.

I argue that land distribution should be conceptualised as an opportunity to change human-to-human relations so as to promote human flourishing for all. That is, it is emphasising recognition and respect of each other, rather than placing emphasis on the resource as if it is the end in human life or on private land entitlement. In this regard, I establish that the concept of relationality among humans is to be the foundation upon which sustainable land use and ownership are to be based. I arrive at this conclusion in part through causal connections and not statistics. For example, I note that economic decline in Sudan and Zimbabwe has been caused by bad relations among citizens of these states. Based on this view, I conclude that good and acceptable relations encourage harmony, peace, cooperation and development. The proposition I have is a forward-looking proposition, i.e. one grounded on anticipated future benefits. The benefits that are anticipated are progress that comes through maintaining economic viability, and maintaining peace and good relations among citizens.

I will present the above ideas by, first, discussing some views that have been forwarded on land allocation, including both rectification and distributive justice, and then make a case for *Unhu/ubuntu* through defining *Unhu/ubuntu*. After that, my focus turns to values that are fundamental in African moral thinking and the possible influence they have on land distribution, which, I think, are the basis of a sustainable, future, land-based economic system. Fourth, I will present some of the possible limitations and objections that may be forwarded against my proposal, and in that same section, I will critique the objections.

### Discussion on existing views on land redistribution in Africa

In this section of the article, I will discuss views that have already been presented by other philosophers concerning land distribution in Africa. Importantly, this reflects on (African) land distribution from Western ethical perspectives. The views fall into three groups:

- i. economic development underlined by rights arguments;
- ii. a utilitarian approach in land ownership and access; and
- iii. backward-looking theory in redressing land injustices.

These three perspectives are intricately connected though they can be treated separately. The three are of Western ethical origin. In the first group, which I think is a form of forward-looking perspective, there is a concern about increasing economic activities through growing economies (GDP or any other such economic concepts). There is also a sense in which the argument says that land redistribution should not upset the contributions that have come or are coming from established colonial (skewed) land activities (Shaw 2003). In Shaw's (2003) perspective, the focus should be on redistributing lands that are underutilised, or reducing the sizes of farms owned so that others, as in those who do not own any, may also have access to land. Essentially, the argument somewhat supports maintaining the status quo (through respecting "colonial" ownership rights), though with some alterations. The rights to be respected are the rights to own and use land privately, especially derived from traceable (presumably those established at and after colonisation) entitlements, according to the Lockean Proviso and presented by Nozick (1974) and Shaw (2003). Sensible as this argument is, it is supported and promoted by individuals who already own or have access to the land. It is also supported by those individuals who have little or no direct interest in land ownership, and those individuals who benefit directly or indirectly from skewed land distributions. The weaknesses of this form of argument is that, first, it is an imposed Western conception of rights and land distribution which disregards precolonial land ownership arrangements and systems. Second, it does not consider African perspectives on land, which I argue is an attractive and underexplored African view, and has been deliberately ignored; and third, it ignores the rights of those who were dispossessed of their land by colonial biases.

The views in the second group largely fall within utilitarian thinking. In this group, individuals argue for land redistribution based on race population numbers. Utilitarianism is a consequentialist principle that promotes outcomes that guarantee the greatest good for the greatest number of people affected by an action (Wolff 2006; Prendergast 2014). According to the advocates of utilitarianism, a moral society is therefore a society in which the happiness of the greatest number of individuals is advanced. Utilitarian arguments in regard to land redistribution aver that land redistribution should favour the formerly disadvantaged as these constitute a large portion of the population (Masaka 2011; Moyo 2013). It is thought that redistribution would give satisfaction and happiness to this group of people, and that their living standards would be altered through increased land possession. The weaknesses of utilitarian thinking are first, utilitarianism is concerned with the end result and does not consider the means by which the end is arrived at, such as justifying grotesque and barbaric actions in order to achieve intended goals (Prendergast 2014). Second, the utilitarian argument often ignores the interests of those who are in the minority. As a matter of fact, utilitarian arguments fail to reconcile members of the community or state, rather it widens the gap between members of society by creating a vicious circle of suspicion and hostility over land ownership.

The third group contains arguments that are historical or that provide a looking-back perspective. These arguments aver that estimates about the kind of life that those who claim to have suffered as a result of skewed land appropriations can and should be done. For instance, Metz (2011) notes that such arguments demand questioning as to whether the locals would have been in a different or better position had colonial land expropriations not occurred. However, such a position raises difficulties, such as estimating the kind of life that the natives would lead had colonisation and expropriations not occurred. Apart from this difficulty posed by Metz, other complexities that emanate from the historical arguments position pertain to who is entitled to land (that is, determining the initial owner) (Shaw 2003), and determining a just way of correcting the land expropriations. In my opinion,

these arguments, just like the others, fail to propose a possible forward-looking solution for land redistribution. There seems to be a candid support for colonial land ownership and maintenance of the status quo, which I think disadvantages black people. With that in mind, I now turn to my own proposal, which is a forward-looking proposal based on *Unhu/ubuntu*. I will begin by discussing *Unhu/ubuntu*.

### **Understanding *Unhu/ubuntu***

In this section, I will define *Unhu/ubuntu* and explore some views that have already been discussed concerning this ethical view. I use the words *Unhu/ubuntu* to refer to an ethical theory that is dominant in the southern African region. *Unhu* is a Zimbabwean term and a synonym of ubuntu, which is commonly used in South Africa.

*Unhu/ubuntu* is an ethical theory that has foundations in the southern African region. As an ethical system, *Unhu/ubuntu* emphasises humanness. The humanness is a confirmation of humanity through recognising the humanity of others. Explicitly, *Unhu/ubuntu* is relating well with others (Metz 2016; Hoffmann and Metz 2017), which means *Unhu/ubuntu* is a relational ethic in which all are expected to connect with others. By relating to others, an individual consciously desires that others thrive and live well, thus promoting the well-being of others and that of the individual as well. Importantly, the ethic expects positive outcomes, such as inclusivity, respect for each other and connectedness, especially for those who abide by it. It is from this expectation that philosophers have hypothesised that *Unhu/ubuntu* commands that the idea of other-regarding (Hoffmann and Metz 2017), being-with-others (Menkiti 1984; Molefe 2018), and collectivism and communal living (Oyowe 2014) become the basis of social living.

Following from the preceding paragraph, *Unhu/ubuntu* is a community-centred ethical theory. That is, an ethical theory that is concerned with the flourishing of the community. I hasten to state here that the idea of flourishing is used in an inclusive sense, and refers to living life well according to individual choosing, though within the confines of the community's expectations. My thinking in this regard is inspired by Oyowe (2014), who considers the community as a movement of individuals towards each other, coming together to form a common way of living together. In my thinking, this includes communication between members of society, which is premised on rational engagement of members of the community. Rational engagement intensifies human interaction, communication and the formation of collective knowledge (a knowledgeable community). Based on these views of community, I can conclude that community is a voluntary association, entered into by individuals as a way of forging a way of coexistence. Just as in *Unhu/ubuntu* thinking, a community becomes the primary focus of activities, which is possible only when individuals reason out a way of living together peacefully, harmoniously and in a way that promotes each other's well-being. A concrete example of *Unhu/ubuntu* manifestation in practice was the efforts of the South African Truth and Reconciliation Commission to reconcile victims and offenders by allowing these to enter into dialogue and agree on a way forward, a way of living together.

Social living in the *Unhu/ubuntu* ethic aims at achieving human flourishing by promoting peace and harmony among members of society so that each then works at realising their goals. Implicitly, there is a sense that having dialogues and reconciling differences ultimately lead to inclusivity. In addition, *Unhu/ubuntu* is a supportive system that promotes cooperation and the sharing of burdens and benefits that members of society encounter (Khomba 2011). The ethos of reconciling, dialoguing and mutual upliftment through support for each other ought to take centre stage in land distribution. It is this thinking that I intend to propagate within societies to embark on land redistribution. I will now pay attention to relationality, cooperation, common good, and the equal distribution of community goods as values in which most of the views expressed above are embedded.

### ***Unhu/ubuntu* values that have relevance to land redistribution**

My proposition in this section is that some cultural values should influence how land reform is enacted. This view expresses observations that have already been proclaimed that claim that "... traditional values might inform contemporary thought and practice" (Bilchitz, Metz and Oyowe 2017, 7). I argue that the African ethical values that I will discuss should inform land distribution

through promoting individual justice by encouraging equal access for all to land in an inclusive way, and bringing in the formulation of common values and cooperation. This, I argue, will be different from the Western perspective, which supports individual success over and above success of all. The Western model of success at times breeds altercations through competing to outdo one another rather than to assist one another.

The foregoing perception is important, especially considering my understanding of land. I consider land as a resource that is useful to humans in as much as it assists humans to realise and/or achieve their goals. Land, in other words, is a medium that helps humans become who they want to be within the confines of communal expectations. With that in mind, I would proffer that land distribution is a platform through which inclusive communal relations are formulated, a platform where individual goals are promoted, though within the limits of community systems, and a stage through which all members of the community access the resource.

The values that I present here are in my thinking central to and instrumental in the creation of an enabling environment in which individuals can realise their full potential in the present and in the future. Absence of disruptions to life activities, I argue, is necessary for sustainable development. In this case, I posit that *Unhu/ubuntu* ethics has relevance through some of its values. I make a case for this by focusing on the following values: relationality, cooperation, common good, and the equal distribution of community goods.

### **Relationality**

I consider this the foundational normative value that is important in establishing stable societies, especially those created as a result of land distribution. In this case, the environment under consideration is a peaceful resolution to land redistribution. Relationality, in some instances, is referred to as interconnectedness (Nussbaum 2009), social relations embedded within humanity and brotherhood (Gyekye 2010), integration (Masolo 2010), interacting (Metz 2012), social networking and connectedness (Masitera 2018), and other-regarding (Hoffman and Metz 2017). In all these references, they allude to the primacy of connecting with others. Connecting with others involves communication with other members of society with the aim to understand and assist others. Communicating becomes the basis of interacting and considering others. Furthermore, connecting includes mutually personal involvement in uplifting the other.

In *Unhu/ubuntu* ethics, relationality involves the will to engage meaningfully with others. Engaging implies a deliberate individual effort to interact with others for one's own good and for the good of others as well; for this reason, Gyekye (2010) equates relationality to having concern for others. For Nussbaum (2009) and Hoffmann and Metz (2017), relationality is considered as expressing the moral regard for the other in terms of togetherness and collectivism, largely as a result of establishing relations and human interactions. In this regard, relationality leads to collectivism. It also means that relationality encourages acting together, building a sense of belonging and a shared purpose among people. For this reason, the value compels communion through establishing good relations among members of society.

The relational value informs land distribution through inculcating a sense of respect and recognition among all members of society. Recognition of each other is necessary to build a sense of interconnectedness, collectivism and communitarianism (Oelofsen 2015). A communitarian sense fosters a sense of belonging and inspire humanness among members of a community (Oelofsen 2015). In my opinion, fostering communitarianism ought to be the aim in land distribution. The communitarian aspect I am referring to is a community that is founded on good relations that are inclusive and non-marginalising. In this sense, land distribution is to be understood as an invitation to relate or commence a relationship based on respect and recognition (relational). Wherever respect and recognition exist, there is the promotion of human dignity and the establishment of humane relations (Hoffmann and Metz 2017). There is also the idea of deliberately working at promoting all members of the community through removing conditions that place others in degrading and humiliating conditions.

Deducing from the ideas stated is the view that relationality confirms the autonomy of individuals to participate in building the community, whereas community is an association of individuals.

Note here that land distribution in contemporary societies is premeditated and dynamic; it is hardly accidental. This position opposes the thinking that community is something rigid or inherited, according to the view of Menkiti (1984) and Molefe (2018). In that regard, an individual chooses to participate in the process. Land distribution is a process in which individuals engage voluntarily, that is, individuals intentionally choose to participate. Autonomy brings with it the obligation to connect with others, an obligation towards others, especially in the search for a common purpose to collaborate for one's own good, thus forming a community (Hoffmann and Metz 2017). Through relationality, one learns that community is an association of individuals who share values, interests, and obligations. Land distribution ought to learn from the *Unhu/ubuntu* relational value. The success of a community is grounded on the readiness of community members to collaborate or cooperate with one another. Relationality, as mentioned, demands that members of the community cooperate.

### **Cooperation**

I now turn attention to the value of cooperation. My view here contradicts the Western rights or entitlement model, which encourages individual success without having an obligation to connect with others. The Western perspective negates the idea of connecting with others in mutual upliftment; rather, the connection ends at having equal conditions to compete or outdo one another.

Cooperation is another value that ought to be considered in the discussion of land redistribution ethics. Cooperation is reflective of connection/relating in practice in that it concretises the expectation(s) of relationality. Cooperation is sometimes referred to as collaboration (Nussbaum 2009), and collectivism (Otunnu 2015). Cooperation is a philosophy of living as a group and working together (togetherness). I would situate this philosophy in the realm of welfare philosophy, though it is unique in that it encourages working as a community or together, rather than extolling the Western approach to welfare, which is based on charity. The Western approach is more of an impersonal approach to welfare. In the *Unhu/ubuntu* philosophy, togetherness is based on reciprocity, which is being there for one another. It involves a personal interaction (relational and mutuality). The togetherness extends to those who are not known or part of the group. More importantly, the cooperation aims at social upliftment of all members of the community, thus it is a kind of egalitarian approach. It is agalitarian in the sense that there is a communal commitment to fight inequalities (social, economic, and political) (Otunnu 2015). More precisely, cooperation within the *Unhu/ubuntu* ethic is a fight for everyone against social evils that impinge negatively on the well-being of social members. Otunnu (2015) furthers the discussion on cooperation by saying that it is the obligation to work. Ibhawoh and Dibua (2003) add that cooperation is a way of encouraging participation of community members in various social processes.

In economic morality, cooperation is important because it entails the pulling together of resources, which include human, labour and intellectual resources, in a dignified (humane) way. The ramification of cooperation is that members of society are obliged to work for their own good and the good of their society. Cooperation inspires the building of trust and confidence among different people in society. In sociopolitical ethics, cooperation encourages equal participation of members in the decision-making process (Nussbaum 2009). What is the relevance of participation in land distribution ethics? The participation of members in the social process leads to the sharing of different views, the questioning and reframing of positions and ultimately leads to formulating a shared view on an issue. Implied in the participation of members is the idea of establishing relations (where they formerly did not exist, and bettering them in cases where there were squabbles). Otunnu (2015) opines that this would lead to unity, development and total liberation for the community. The fact that equal participation brings people together and gives a sense of belonging when all participating people are respected, listened to, and views considered is important; in fact, this is the confirmation of the rights of people in a society. This, I argue, is needed in the land (re)distribution ethics, where people are encouraged to formulate a vision which is their own and are encouraged to work together. I would say that the value of cooperation is instructive on human activities, such as land distribution. It instructs that working together and sharing in a dignified way builds trust and respect among members of a community.

The African perspective of cooperation as presented above is essential in land distribution in that it gives a different perception of embarking on the redistribution project. Unlike the Western capitalist approach of an individual and impersonal charity, the African approach encourages a more personal and integrative approach. Contemporary land distribution in Africa, I argue, ought to take a cue from the value that all individuals are accorded their rights as humans and are treated as ends in themselves rather than as means to an end as is the case in some Western capitalist activities. In addition, as stated in the preceding paragraph, it encourages participation in formulating a shared value and interest. The ultimate results are the creation of harmony and security, which I consider to contribute to individual advancement and community development (flourishing for all).

Based on these ideas, land distribution ought to be a platform from which equal participation of community members is achieved, a vehicle that encourages mutual beneficence rather than exploitation of each other, and an instrument where the shared value of having an enabling environment is put in place. Pertaining to land distribution, cooperation is a process of building trust and a commitment to mutual upliftment, which I think begins before actual involvement in a discussion on land distribution, and continues during and after the distribution. By saying this, I am convinced that issues that pertain to past conflicts and disagreement will be addressed in the discussions. As reflected in this paragraph, cooperation is instrumental in building shared values in communities; a shared value is an ultimate outcome of the principle of common good.

### ***Common good***

I now focus on common good as a factor from which land redistribution may borrow ideas. In presenting the concept of common good, Composta (2008) notes that common good is the aim and final end of a state. This thinking is also expressed by Magness (1999), and Etzioni (2015), who augment the understanding of the concept to include collective good, public good, and public interest as synonyms of common good. This is a contestable position, but I will not spend time in discussing the differences, which at best are semantic. Common good is to be conceptualised as the “sum goal and interests” that unite and are acceptable to the citizens (Composta 2008). Meaning that common good cannot be identified by one goal, but is a composite of goals that “conserves (order) and promotes (progress)” (Composta 2008, 162). In general, common good is a shared interest (Gyekye 2010). It is important at this juncture to clarify what constitutes the “good” being referred to. The good pertains to political, economic and social liberties and opportunities that are at the disposition of every individual in society, in general. Meaning that everyone has access to social goods, but each utilises “it/them” in their own way. For Composta, access to these different goods is a goal that has to do with realising one’s own goals in different facets of human interactions. This perception by Composta is in agreement with Velasquez, Andre, Shanks and Meyer (1992), who aver that common good is and must support individual realisation of own interests.

I should mention here that the good referred to is not to one value but to several values that are crucial to human existence. In African ethical thinking, the end of social relations is to secure and support human life (Gyekye 2010; Khomba 2011; Bilchitz, Metz and Oyowe 2017). In this sense, it is plausible to argue that from an African point of view, the goal of societies is to establish social systems that enhance the well-being of individuals and that aim to develop a society that is inclusive. Such a view persuades me to think that land distribution may be considered an opportunity to create common goals or common aims that ought to secure and promote human living. In particular, I submit that the good that is to be aimed at is in the area of developing a society that promotes stability and harmony, for these principles contribute significantly to the well-being of a society.

Common good is the realisation that a shared interest and value is a communal aggregate (Gyekye 2010). The shared interest is for everyone’s good, that is, for the individual to realise their own goals, but within the limits of the community’s expectations. Implied in this is that in order to come up with a communal aggregate, there is a collective decision that comes about as a result of engagement. Engagement occurs through discussion and negotiations of different members of the community on how they are to live together. The discussions are about the kind of political, social and economic interactions that would be conducive for individuals to achieve their ends. The importance of common good in land distribution is that it instructs the establishment of communities



that are based on the people's interests, namely that social life ought to be people-centred and driven by the people who live in those redistributed lands.

The idea of shared interest or value implies decisions that are people-driven to which the affected individuals assent and ultimately argue that they own the laws and norms that control the particular area. As I have stated before, land distribution is a vehicle; in this case, it will be a vehicle for change of social regulations (part of shared value) that control society. These regulations have to be people-driven and respond to their needs. When this is realised, justice is at the same time achieved; the justice I have in mind is individual justice, which is realising one's goals within a particular society. There is also a chance that all members of society participate in formulating the common goal.

Common good, as explained above, is inclusive, especially through individuals coming together and agreeing on how they want to live. This means that in the formulation of the good, discrimination and selectivity are excluded. This is particularly expressed in the *Unhu/ubuntu* ethic, which encourages the formulation of society from agreements (Gwaravanda 2011; Masitera 2018). It is this inclusive nature that contributes to establishing a viable society that is agreed upon by different people. And, I state, this is what land redistribution ought to focus on: inclusivity, agreeing on how to live together, harmony and stability so that all flourish. Having established the pertinence of common good in land redistribution ethics, it is necessary to also discuss the relationship that ought to exist between people and community (material) goods.

### ***Equal distribution of community goods***

My argument in this section of the article is derived from African communal thinking, which argues that natural endowments are communally owned. Beyond communal ownership, communal property is also communally shared such that every member of the community benefits from using that property. This idea has been shared by prominent philosophers such as Wiredu and Nyerere. Wiredu (2003) in particular has argued that among other communal properties, land in the traditional communitarian society belongs to the community, and every member of the community is entitled to have access and use of the land for individual benefits as well as for communal benefits. Furthermore, the distribution of land to individual members is done communally, though with the chief, who is also the custodian of land (Pauw 1996). More importantly, land and other natural endowments do not have any commercial value attached to it. Bakare (1993) wades into this discussion by noting that among the Shona<sup>1</sup> people, land is considered a gift from "higher" individuals to the Shona people; for that reason, there is a moral compulsion to keep, maintain and care for the gift (land). Looking after the land becomes a communal duty, but, beyond looking after the land itself, there is also the aspect of people using land distribution as a way of achieving social justice.

Social justice through land redistribution relates to having acceptable and good relations. Land ownership and distribution for its own sake would in most cases cause disputes among people, as one would want to amass more land than others for selfish economic reasons. In order to reduce such conflicts, land is to be distributed communally, according to the agreement of everyone in society (Pauw 1996). In a sense, this is more of an egalitarian approach to distributing the land, but beyond that, it is also a way of maintaining good relations among the members of society. In the egalitarian sense, it means that every member of the community is entitled to own land and use it for their benefit and also the benefit of the community. In the other sense, it is more a way of social control by avoiding conflict and unnecessary accumulation of land on the part of individuals while other members of society are deprived. Thus, deprivation and struggle to access ownership and use of land are somewhat avoided.

In contemporary African politico-economic practice, Nyerere tries to concretise these ideas in *Ujamaa* (1987). Nyerere forcibly encourages Tanzanians to live in villages which he anticipates to be the centres of development. In the villages, he encourages the adoption of the traditional way of living, he called this *Sangofa* – looking back. In the case of land ownership and use, Nyerere considers that communal ownership is one way of ending human exploitation. His argument is

1 One of the many tribal groups in Zimbabwe. Shona people share in the *Unhu* ethical belief.

that the capitalist model of land ownership generally leads to exploitation of the landless by the landowners. Nyerere (1987) therefore posits that communal ownership accords every member of the community a chance to own a piece of land and use it fruitfully for their livelihood. In Nyerere's thinking, village or communal ownership has a dual effect, namely ending human exploitation, while encouraging individual self-reliance and ensuring equal access to land. This for me is a way of putting an end to the vicious circle of fighting for land, since land distribution will be done in such a way that every member of society benefits from land ownership and use.

I, therefore, aver that contemporary land redistribution has to learn from the traditional African system, especially the importance of establishing social justice through using economic goods. This means attempting equal distribution of land to all who have interest in accessing and using land. This may mean having a commission delegated with the responsibility of redistributing land, though with the help of local communities (engagement and inclusion of all different stakeholders). My argument for this reason is that communities are aware of their own needs and also have ideas on how to solve such needs (I am thinking of the communal distributive pattern). I also think by adopting this model, the chances of straining relations will be reduced when all members of society have access to land. Perhaps this will at the same time strengthen and increase the productivity of the land as many other players, especially formerly from groups that had limited access to land, are also included.

### **Possible objections to using the indigenous African ethical values for land redistribution**

In this section, I mention three possible objections that may be advanced against the use of indigenous African ethical values on conceptualising land redistribution:

- (i) indigenous African ethical values are obsolete;
- (ii) *Unhu/ubuntu* ethics is not a universal ethical perspective; and
- (iii) *Unhu/ubuntu* has been noted to be a failure in other facets of human life, therefore, it is inapplicable to land redistribution.

The first objection that can be levelled against the proposal is that most *Unhu/ubuntu* values are obsolete and are irrelevant in a modern social set-up. Khomba (2011) notes that certain practices and even values are considered outdated in that they are not compatible with contemporary living systems. One of these practices is, though Khomba does not particularly mention this, the conceptualisation of collectivism in social living. Capitalist systems exalt individualism; the same ideology is expected in societies in which land will be redistributed. Among the exalted ideologies are the ideas of self-aggrandisement at the expense of others, personal rather than community gratification, and glorification of personal ego. These egotistic perspectives are expected to be advanced in contemporary land distribution. With this in mind, there is the rejection of the value of collectivism as irrelevant in capitalist societies and in land distribution that occurs under a capitalist system.

However, I argue that such an objection is limited as it does not consider the benefits of collectivism within capitalist life styles. The benefit of mutual upliftment and beneficiation for every member, I think, outweighs individualism and the highly personal or the exclusive nature of capitalism. I argue that by adopting collectivism, there is a chance of reducing conflict among members and this is necessary in areas where land is redistributed. I think this is important for progress and individual advancement.

The second objection states that *Unhu/ubuntu* is particularly relevant to members of southern African communities and not so to other members of other traditions (*Unhu/ubuntu* is particular and not universal). This is a challenge, especially with the proliferation of various cultures in African communities and societies. The idea expressed here is that people in multicultural societies do not share the same moral system, *Unhu/ubuntu* is only one of these moral principles. In that regard, there is no obligation for members who abide by other moral systems to appropriate this system into their lives. As such, there is no obligation for non-*Unhu/ubuntu* thinkers and practitioners to abide by its principles; this also applies to their conceptualisation of land distribution. There is a

sense in which conflict of interest in values occur, just as noted in the statements, especially when advocating for multicultural perspectives in social living. This is a challenge that is difficult to overcome, except through lobbying for the recognition of and initiation of different people into the African system. It is possible for this recognition to come by having local leadership overseeing local governance and state governance. Hopefully, these leaders understand local ethical systems and are interested in promoting them.

The third objection is another general objection levelled against the moral system. The objection is that when applied to other systems of living, *Unhu/ubuntu* contributes little knowledge and makes little impact (Khomba 2011; Wolmerans 2014). This view may be extended to land distribution, which I have argued, needs to learn and be influenced by some value systems emanating from *Unhu/ubuntu*. Little knowledge of what *Unhu/ubuntu* is all about makes it difficult for the general public to apply it to social living, which may also apply to land distribution.

My response to the above view is that there is now a chance of knowledge dissemination concerning *Unhu/ubuntu*. This is possible because of the widespread writing and sensitisation of this topic. Universities and schools have among their duties the obligation to teach heritage studies, which include topics about *Unhu/ubuntu* and related issues. It is my hope that through these initiatives, *Unhu/ubuntu* will become known.

## Conclusion

In this article I have presented a forward-looking proposition for land redistribution. My anticipation was that through this proposition, possible, just future outcomes will be based on appropriating ideas from *Unhu/ubuntu* ethical thinking. I have argued that through the this traditional African value system, the individualistic capitalistic and marginalising system is challenged. In place of the capitalistic system, a humane, collective and supportive system that recognises all is proposed. I have noted that traditional African values, such as relationality, cooperation, common good and the equal distribution of communal goods, can be of use in establishing sustainable land relations (in the form of unity) in the future. These values, I argue, place importance on respecting, recognising and promoting the good of all, hence the necessity of incorporating these moral values in the framing of land policy.

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