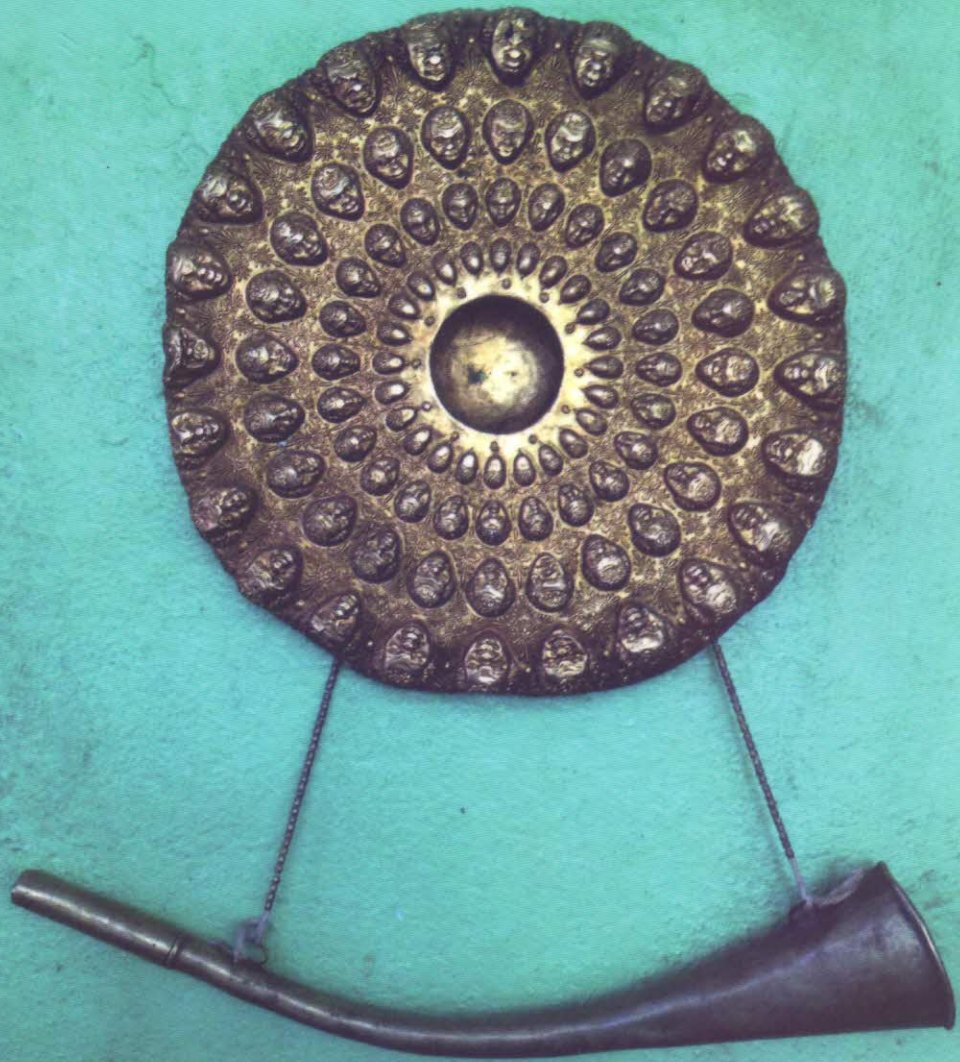


Violence, Peace & Everyday Modes of Justice and Healing in Post-Colonial Africa

EDITED BY

Ngonidzashe Marongwe, Fidelis Peter Thomas Duri
& Munyaradzi Mawere



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The Moral Significance of the *Dare* System in
Seeking Justice and Peace among the Shona People
of Zimbabwe

Erasmus Masitera

Introduction

This chapter seeks to tackle the Shona people's use of the *Dare* (a 'traditional' court gathering) as a moral tool for moulding good and humane behaviour and conduct. In this sense the *Dare* is necessary for the moral grounding through which right and good are pursued. Broadly speaking, the traditional Shona people's *Dare* system expresses the Ubuntu moral expectations that combine a number of ethical doctrines that include virtue and deontological ethical theories. Apart from expressing the virtue and deontological ethical practices, the *Dare* system also expresses the Shona people's preoccupation of achieving social justice and common good. The argument forwarded here is that the *Dare* is one of the best ways through which social justice and common good are advanced. In that regard, the *Dare* system is a channel that is utilized to influence behaviour among the Shona people. Besides influencing behaviour, the system also helps in establishing peace, justice and the principle of equality among the Shona people. Thus, this 'traditional' system is a way through which psychologically, the Shona people are influenced into a particular way of thinking and behaving. Noteworthy, though, is that the influence is mostly positive, for the good of the community at large, a common good approach.

The chapter will also establish that the individual rights are not thwarted within the execution of the good that the community reaps. In other words through the *Dare* system, human dignity is established. Thus, it is not only for the community's good but that everyone in that community benefits. Apart from the mentioned, the chapter also focuses on the composition of the *Dare* among the

Shona people. The structure, in other words, is not imposed upon the people but emanates from the community itself, and this makes it acceptable and eventually making its discussions binding and respected by the people.

To fully expose the above ideas, the chapter will proceed by first understanding who the Shona people are, then second, seek to understand their morality expressed through the Ubuntu worldview. Third, focus will be on the process of attaining and sustaining justice and peace via the *Dare* system which includes in-depth discussion on the justice process within the Shona communities.

The Shona people

The aim of this section is to clearly expose who the Shona people are. In other words, the focus is on the identity of the people who are known as or who refer to themselves as the Shona people. Thus, the focus of this section is on the question of identity with regards to the Shona people. In order to clearly present the identity of the Shona people, it is necessary to articulate some of the major characteristics that are related to this group of people and the main areas of occupation in which they are located.

Concerning their location, the Shona people mostly inhabit the Mashonaland area (Dodo and Nyoni, 2016). In the view of Masitera (2015) and as a confirmation of Dodo and Nyoni's (2016) position, the Shona groups occupy large parts modern Zimbabwe and are widely dispersed in the Zimbabwean state. Of the 13-14 million Zimbabwean population, 75% belong to the Shona group (Gwaravanda, 2011). According to Chemhuru and Masaka (2010) the Shona language "is a conglomeration of a number of linguistic groupings ... namely the Korekore, Karanga, Zezuru, Ndau, Kalanga, and the Manyika." Noteworthy is the fact that these groups share similarities in traditions, cultures, language, and philosophy of living among other characters.

Among the similarities that are shared by the Shona groups are practices of living and morals. Some of these living practices and morals are exhibited in beliefs systems, myths, social practices and social teachings in the form of proverbs, idioms and idiophones

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(Masitera, 2015). Among the Shona people, the living practices and morals are important in as much as they form part of identity for the people. Not only is identity key, but also the fact that it is important in fostering a particular kind of behaviour and thinking that is expected of the group.

For the Shona people, living in peace and pursuing peace is one of the expected ways of living which members of society should uphold. As such, practices that lead to the achievement of the stated are based upon and arrived at through communal practices. Communal practices connected to these, as Gwaravanda (2011) noted, are mostly achieved through court systems. The court system, known as the *Dare* system among the Shona, is a routine practice that aims at solving social problems that could lead to social disharmony if not attended to. In this regard *Dares* (the plural of *Dare*) can be found at family, village and community levels. More on the *Dare* system will be discussed latter in the chapter. Important to note here though is that the *Dare* institution is a place for maintaining and developing social harmony and developing peace.

Another important form of identity among the Shona is their moral system, referred to as *Ubuntu/Unhu*. Scholars such as Ramose (2014), Chuwa (2014) and van Nierkek (2013) have alluded to the fact that *Ubuntu* is a set of ethical practice that is dominant within Southern Africa. However, the term *Ubuntu* is referred to differently by other Southern African groups. For instance, the Shona use the term *Unhu* to refer to *Ubuntu*. Thus, *Unhu* is a Shona word for *Ubuntu*. The Shona people share in the *Unhu/Ubuntu* ethical practices and the two terms will be used interchangeably as well. *Unhu* is a lived and living tradition that the Shona people adhere to. Furthermore, *Unhu* is but an extension and extrapolation of *Ubuntu*. The chapter now proceeds by defining the *Dare* system. Thereafter, it will provide the working definition of *Ubuntu/Unhu* and afterwards make an in-depth analysis of the *Dare* system. This will include its uses and functions.

***Dare*: The court system**

Among the Shona people, the *Dare* is important in the day to day organization of the community. The *Dare* is the backbone and wellspring of the Shona social and political life. This means that

through the *Dare*, social organisation, laws, morality and resolving of day to day conflicts are done. Beyond the stated, the *Dare* was/is also very useful in advancing justice within the Shona way of living. Of importance is the fact that the *Dare* is a place of rational discussion and negotiations that aim at fostering humane relations in society.

According to Gwaravanda (2011), there are three kinds or forms of *Dare*. These are the family, village and community courts. These courts deal with matters that pertain to human life at the different levels. The gravity of a matter determines where it will be discussed. The family court deals with minor day to day conflicts that emanate in families or among family members. The resolutions reached are always binding and result in the development or establishment of family cultures which eventually develop into family traditions. This is also the beginning of establishing family morals. In most cases, the family court is presided over by the family head or eldest members of the family.

The village court deals with issues that could not be resolved at family level and also for resolving conflicts between two or more families. The idea expressed here is that in some instances conflicts between families may be volatile and resolving them demands the immediate neighbours' (village) intervention. Just like the family courts, the ultimate result is that existing norms are emphasised and upheld, and in some cases, new forms of interaction and organisation between or among members of society are developed. The village court is presided over by the village head (Gwaravanda: 2011; Masitera: 2015).

The community court (also popularly known as the chief's court) is the highest court among the Shona people. This court addresses matters that exist or erupt between feuding villages who cannot resolve their conflicts among themselves. It also acts as the referral court as it is also used in addressing issues that have not been resolved at village level (Gwaravanda: 2011; Masitera: 2015)). Most importantly the court system was, and still is, an effective way of advancing justice, peace and reconciliation, and resolving conflicts.

Unhu worldview

Unbu/Ubuntu is an African moral tradition (van Niekerk, 2013; Chuwa, 2014) that is concerned with human relations and in particular with the cultivation of positive human interactions (Hapanyengwi-Chemhuru and Makuvaza, 2014; Mangena, 2016). Furthermore, *Unbu* is a reflection of the authentic existential history of the people that permeates the epistemological, axiological and ontological lives of the Shona people (Hapanyengwi-Chemhuru and Makuvaza, 2014; Mangena: 2016). It is from this perspective, the axiological or moral perspective, that van Niekerk (2013) argues that *Unbu/Ubuntu* is a tradition that reveals the value(s), the normative expectation(s) or requirement(s) of people's lives that are drawn from the African tradition. In definitive words, Magobe Ramose (2014) avers that *Ubuntu* is "the lived and living experience of human beings" of Southern Africa. This implies that *Ubuntu* is a philosophy that has a past, a philosophy relevant in the present and a project for the future as well (Ramosé, 2014).

Ubuntu is neither ahistorical nor a hypothetical situation as is the case with some philosophical thought experiments of how to live together (these are not under consideration in this paper). *Ubuntu* as a project from the past and relevant in the present and future as well, implying that, it is a worthwhile project that has practical implications in different facets of human living (Furman, 2014). The facets include the social, political and economic lives of people. In that regard, *Ubuntu* is thus a principle of living which should be taken seriously; it should be recognized, promoted, and protected from vanquishing into oblivion.

The term *Unbu* is synonymous with the terms *Ubuntu*, *Botho*, *Vunbu* and *Hunbu* (Hapanyengwi-Chemhuru and Makuvaza, 2014; Mangena, 2016). These terms refer and mean the same. Their difference is their origins which vary with the ethnic origins within the Southern African region. For this chapter, the term *Unbu* will mostly be used. The main thrust of using the term *Unbu* is that it helps in establishing the identity of concerned communities (Hapanyengwi-Chemhuru and Makuvaza, 2014). Thus, it identifies the particular people or groups under discussion.

Unhu has a number of attributes. *Unhu* emphasises or puts imperative upon the communal existence as opposed to the Western imperative or occidental thinking of emphasising on the individual existence and rights (Mangena, 2016). In other words, this means that community interests always come before the individual interests (Mangena, 2016). This position assumes that the individual interests and rights are subsumed within the communal interests. A critical reflection on the preceding statement is that the individual interests and rights and the communal interests are not at variance. Rather, the community is a reflection of the individual though in a form of the general rather than particular. The idea expressed here is that the community always acts for its good and inevitably that of the individuals who are within it. The community does not seek to disadvantage any of its members for doing so breeds animosity. Animosity is a threat to communal peace and harmony. Common good is achieved through consensus that is reached through dialogue that leads communal beneficiation. Such a position is achieved through the dialogical nature of reaching positions in communities (Eze, 2008).

Noteworthy is the fact that the discussions or the dialogic nature of the *Unhu* system aims at achieving and enhancing interdependence (Hapanyengwi-Chemhuru and Makuvaza, 2014; Mangena, 2016). The interdependence expresses the axiological thinking that exists among the Shona people that is founded upon the thinking that all are related and that human life is sacred. In the philosophical world, this thinking was well captured by the Kenyan philosopher Mbiti (1970) in the statement: "I am because we are, and because we are I am." Basically, the statement shows the interconnectedness and interdependence that exists within the Shona societies. Mangena (2016) goes on to interpret this as meaning that the interdependence and interconnectedness are reflected in the working together and sharing of benefits and burdens of the community without prejudice. This is done for a reason. The reason has to do with ensuring community stability, harmony and to some extent prosperity. There is, thus, a sense in which *Unhu* is a mixture of virtue and deontological thinking. These are Western categories that are being applied to African thinking because the categorisation helps in explaining and

defining some moral concepts in a universally understood philosophical framework. This has its own difficulties which are beyond the scope of this chapter.

I now turn to discuss the moral connection between *Dare* system and virtue ethics. Virtue ethics is a branch of moral philosophy that upholds or emphasises on uprightness of a moral character. In this sense, a virtue is a disposition of excellent character trait of valuing doing the right thing (Sreenivasan, 2002). Beyond the stated, doing a right thing is always underlined by reason for thinking, acting and doing a virtuous deed (Hursthouse and Pettigrove, 2016). The reason for acting in a virtuous manner is always guided by the interest of promoting happiness and flourishing of the human kind. By saying this, virtue ethics as a moral theory recognises that human thinking and acting should, by and large, promote human life and living. In short, virtue ethics emphasises excellence or good character, on human happiness and flourishing and on having a moral or practical reason for acting in a particular manner. These are the reasons that make virtue ethics a necessary component in life.

In connection with the *Dare* system then, virtue ethics is relevant. The relevance lies in that the *Dare* system is more of a platform whereby people exhibit their virtues through expressing their interconnectedness and always doing that which is good for the human species. The interconnectedness reflects the disposition of people in ensuring and encouraging human flourishing through setting out conditions or rules that encourage peaceful co-existence. Beyond that, the *Dare* was/is also useful in showing the right or correct emotions and character of the people that is through feeling and acting in a manner that is empathetic and sympathetic towards others. By showing these emotions the Shona people at the same time act according to the expectations of the *Unbu* philosophy of 'being there for each other.'

Interdependence and interconnectedness reflect the deontological dimension of the *Unbu* system. On their own, interdependence and interconnectedness symbolise collectivism that is characterised by cooperation, working together, teamwork, sharing and helping others (Eze, 2006). By deontological is meant those kinds of duties that are required, forbidden or permitted, or what is

required of people to do (Alexander and Moore, 2016). A deontological ethical theory concerns itself with making choices that conform to moral norms and not to the results or consequences that are achieved by choosing a particular action or choice, this belongs to the consequential or utilitarian thinking (Alexander and Moore, 2016). In other words, this means making choices that accord individuals the right to be ends in themselves and not as means to an end (freedom to choose and act as one wills and not be used by others to achieve their own ends). What this translates to is that the deontological dimension of *Unhu* relates to obligations and duties that individuals have to execute in society. In that regard, *Unhu* stresses that individuals are obligated to or have to act according to the dictates and requirements of their society (social norms). That is, individuals are required to be there for each other, this is because it is a social dictate. However, the obligations are followed for a reason, the reason being to achieve stability and harmony in society, this is something which the society had long reflected upon and reasoned out and realized is important for human progress and therefore something to be strived for.

Deontic thinking in some sense aims at advancing justice in society. The kind of justice advocated for in *Unhu* thinking relates to common good. It is prudent to highlight that justice is an elusive concept. However, in this chapter we consider justice as relating to the establishment of expected or proper relations among individuals themselves and with material goods (Gule, 2015; Moyo, 2015). This entails that among individuals, justice pertains to giving each individual what he or she deserves (Kanu, 2015). In this regard if one transgresses social expectations of the society, he or she ought to be punished according to the dictates of that particular society. At the same time if an individual does what is expected, he or she receives commensurate respect from the community.

Etymologically, the term justice comes from the Latin word *justicia* which means giving to each according to what he or she deserves (Barry and Matravers, 2011). In technical understanding, justice refers, among others, to a wide range of connected versions which include understanding justice as fairness (Rawl, 1971), justice as what we owe each other (Leontsini: 2015), justice as restitution,

justice as deterrence, justice as equality, justice as punishing, justice as impartiality, justice as retribution, justice as common good (Catholic and African thinking). There is a sense in which justice is achieved through punishing and banishing 'other' individuals as is the case when individuals have transgressed societal norms. This kind of justice has more to do with negative justice. It is justice achieved by punishment or deterrence in order to teach or encourage good behaviour among members of society. Most important here is to note the observation made by Olagunju (2014) that in most African traditional justice systems, the aim was not to punish for the sake of punishing, as is the case with other traditions yonder Africa such as the European traditions however, but reconcile. As Olagunju (2014) notes:

The goal was never to punish *per se*, although wrong-doers got convicted and punished. The ultimate aim of adjudication was always to promote the unity of the community as opposed to concern with individuals; in other words, the restoration of social equilibrium is the paramount factor and consideration.

The same observation was also made by Glaukman (1955) concerning the Lozi of Zambia. Glaukman notes that the Lozi traditional justice system aimed at promoting social equilibrium and unity among members of the community. These observations are important for advancing and supporting my argument that justice among the Shona always aimed at achieving common good. As reflected upon earlier, the Shona people encouraged *Unhu* so as to foster a kind of behaviour that promotes the good of all. This was for practical reasons. Justice that punished without reconnecting was discouraged because it was thought to lead to disgruntlement and fragmentation of the society. When punished and not reconnected to the society, individuals may feel alienated from the community thereby leading to resentment, anger and frustration in a system. The argument here is that once the mentioned feelings exist in societal members, it is easy to turn against the community thereby leading to a kind of social violence. This was not expected in the African society.

***Dare* and the common good**

The argument presented in this section is that common good as a form of justice was the aim in the *Dare* system, which always aimed at reconciling and restoring the social equilibrium, and establishing social satisfaction rather than fragmentation among members of the community. Common good as a form of justice follows the thinking that good for all does not just happen; rather it is built by the people concerned. This is the kind of thinking that guides and underlie the philosophy behind the *Dare* system among the Shona. Most importantly as well is that the concept of common good is inclusive and recognises and respects all the people in a particular society (Velasquez *et al*, 1992; Gyekye, 2010). In other words, common good seeks to establish equality and unity among the people. These principles of justice –equality and unity – are to be considered as derived from the people’s expectations and not something that just comes naturally to them. The kind of equality that is being discussed, as in the Velasquez’s *et al* (1992) sense, pertains to equality of opportunities, equality before the law, equality of welfare and equality of recognition. These are the main ideas that the *Dare* system aims at establishing. Furthermore, these ideas of equality are the key tenets in discussing issues that deal with human dignity of which the Shona political system exhorts highly. The foregoing is notwithstanding that such political practices also lead to general satisfaction and happiness of the people, hence encouraging social cohesion, stability and satisfaction.

***Dare* and the search for justice**

The process of achieving justice among the Shona people of Zimbabwe was also done through the *Dare* system. The same justice system is found among other Bantu speaking people such as the Zulu and Ndebele, among others (Gwaravanda, 2011; Letseka, 2014). The principle behind the *Dare* was that discussions and mutual agreements (which were in the form of concessions and consensus) were necessary for solving communal mishaps such as violation of rights. This helped to build the society’s cohesion and inspire

collective aspirations and hopes. Above all, the *Dare* was necessary for correcting offenses committed in the community. Justice, therefore, was basically people-generated, that is, it was a process reached through and a result of people's input and not something imposed upon the people. Justice in this sense meant re/establishing cordial relations in the society (relations that respect human dignity, equality and fairness acceptable to all).

During the *Dare* meetings, members of society were given chance to contribute their views without any form of discrimination. In the final stages of making up a decision, all the inputs would be put into perspective, though the final decision was/is made by the chief and his advisors (Gwaravanda: 2011). During discussions at the *Dare*, the views of the people were not taken for granted. Rather, they were put through critical analysis not only from the chief and his advisors, but even from other members of the society. In so doing, the chief and his advisors acted in accordance with people's expectations thus upholding and producing justice in the process. In a sense, the principle of equality was also achieved through equal participation, recognition and consideration of people's ideas.

Additionally, the communal dimension of living together and promoting harmony is again shown here. This was achieved through the fact that the equal participation was a communal effort aimed at solving problems and violations of rights of communal members. The idea of engaging in dialogue and reaching mutual agreement was meant to encourage social cooperation and cohesion thus promoting the working together of people while at the same time discouraging resentment and unnecessary conflicts as is the matter when verdicts or decisions are made without the involvement of people. In a sense, the Shona *Dare* system reflects the democratic approach to court sessions and even in governance. The system also reflects the bottom-to-top approach that considers the will and interests of the citizens rather than imposition of the will of the ruling elite.

Notwithstanding the foregoing, it is essential to note that traditionally, among the Shona, women were regarded as minors and as such, did not play much of a role in the court system. The basis of this emanated from the common argument among the Shona that says '*vakadzi varipo kuonekwa kwete kunzwikwa*' –translated as 'women

are there to be seen not to be heard'. The same kind of thinking relates to children as well. However, this thinking was flawed in that it did not fully reflect the Shona people's respect for roles that were neutral to biological appearance of individuals. Nzwengu (2004) attests to this by stating that the distinction of roles according to biological make-up was not so much pronounced in traditional African societies. In the traditional African system, roles defined people. Yet the roles were not sacrosanct; they were always changing such that a male figure could take on the role of the mother figure and vice-versa. For instance, among the Shona people, in particular, a brother to one's mother is also considered a mother to the children of his sister (a relationship commonly referred to as the *sekuru-muzukuru* relationship [uncle – nephew relationship]). A sister to a father is considered a father by the children of her brother. In other words, there are roles that are not defined by biological make-up among the Shona people and indeed this is characteristic of most African traditions (Nzwengu, 2004). Basing on the distinction proffered above, the chapter proceeds to argue that while in the traditional setup, gender profiling between men and women determined non-participation of women at the *Dare*, but at the same time the role of the individual determined participation as well.

However, in 'modern' political set-ups established after the colonial period or in the independence period, the distinction between women and men and their participation at court sessions or *Dare* no longer exists. Men and women participate equally (Gwaravanda: 2011), none is discriminated against on grounds of gender in society. This goes to show that the *Dare* concept has transcended the traditional set-up which in some sense was discriminatory. The *Dare* concept has also adopted the contemporary political and legal thinking and practice that respects human dignity and that upholds equality of people despite their gender.

Reconciliation or conflict resolution?

This section attempts to answer the question: what is the real aim of *Dare* system? In this endeavour the section makes use of two key phrases that always appear whenever the discussions on traditional

court systems occur. These are reconciliation and conflict resolution. It is important to note that the court systems always endeavour to bring justice, equality and unity among members of the community. These endeavours can only be achieved through processes that satisfy, and are agreeable to, all members especially feuding parties. In that regard, reconciliation and conflict resolution are the ideal means through which these endeavours are realised. For that reason, attention now turns to the terms reconciliation and conflict resolution as the processes that the *Dare* embarks on so as to promote peace and harmony in the community.

Conflict resolution is a process through which different forms of conflicts are resolved within communities and/or the world at large. Wallensteen (2015: 8) contends that, "Conflict resolution is a situation where the conflicting parties enter into an agreement that solves their central incompatibilities, accept each other's continued existence as parties and cease all violent action against each other." The thinking behind Wallensteen is that conflict resolution is made up of two processes which are: the formal part which includes agreement between warring parties and the second one which involves the actual implementation of the resolution. On the whole, the crux of the matter is that conflict resolution involves various strategies that are designed to end the many forms of disagreement between states, people, and groups.

Questions may arise in relation to the form of the resolution. From the definition provided by Wallensteen, it is implied that the resolution is one that advocates for peace. Indeed, peaceful resolutions have been advocated for since time immemorial within African communities (Gwaravanda, 2011; Olagunju, 2014). For the two philosophers, the conflict resolution was always reached through a communal approach aimed at attaining social solidarity. Just like Wallensteen, Gwaravanda (2011) and Olagunju (2014) aver that the success of a conflict resolution method always rested with the implementation of the agreement. However, in the traditional system the implementation rested on achieving peace and unity among the communal members and this was achievable since the communal members always aimed at achieving social equilibrium rather than individual satisfaction.

Furthermore, conflicts were viewed as inevitably providing chances for bettering the community rather than as obstacles to social growth. According to Gwaravanda (2011), disagreements provide the community with an opportunity for introspection and for moving forward together through discussions. Conflicts in the Shona system are a social reality that have to be dealt with. The best way to address the conflicts is by having the conflicting parties coming together and resolve their differences with the mediation of the community. The presumption is that resolutions that come from the people themselves are accepted by the people rather than those that are imposed from above.

It is worth mentioning that the ideas of social harmony and social equilibrium discussed in the above discussion on conflict resolution are deeply embedded in the *Unhu* concept. Among the different principles that *Unhu* emphasises is the idea of communalism. Communalism is a system whereby collectivism abounds. Collectivism among the Shona people is deeply steeped in the *Unhu* thinking of togetherness, peace and harmony. The idea stems from the Shona saying '*munhu munhu navanhu*', translated as 'a personhood is meaningless without others'. This is close to the English saying: 'no man is an island.' Another saying that guides the Shona moral life is '*kugara hunzwana*'. Meaning that living together is the key to human livelihood. These moral teachings are all part of the moral teachings that Shona people receive from childhood through adulthood. These moral teachings are also guidelines which inform local court systems when resolving disputes.

Reconciliation on the other hand is the healing of broken-down relationships. The healing of the relationships takes the form of a social therapy. In the Shona 'traditional' sense, the social therapy targeted the whole community (Gwaravanda, 2011). As Gwaravanda (2011) points out, social disagreements or conflicts are a social anomaly that affect the whole community, including individuals. In addition, the therapy also targets individuals are hurt within the society. In the end, therefore, the healing process also involves the whole community and it is not an individual or isolated process. This means that members of the community participate in the healing process. In technical terms, the healing process is a therapeutic

mechanism of correcting past wrongs through reconciliation and agreements that necessitate social harmony and ultimately social development (Mangena, 2015; Tshuma, 2015). The reformulation of social values and interests is important in the reconciliation process. Most important though, is the fact that the compromises made are founded on and through communal therapy. Communal therapy is an attempt by a society to understand itself through events that have occurred. Furthermore, communal therapy is a process by which society intervenes by coming together to correct wrongs that have occurred and at the same time ensure that no social dislocation and disharmony occurs (Murungi, 2004; Idowu, 2006; Gwaravanda, 2011; Tshuma, 2015). The therapeutic process involves addressing the deep divisions that society has already encountered. Beyond that, the therapy attempts to map the future by suggesting better ways for coexistence. In this regard, Mangena (2015) and Moyo (2015) view this system as a useful tool for crafting new beginnings to mend ruptured societies.

Challenges in applying the *Unhu/Ubuntu* philosophy

As much as the *Unhu* philosophy sounds very impressive, it is worthy to note that it has its own challenges which will be discussed below. The challenges also have negative impacts on the *Dare* system. The first challenge is that there is insufficient dissemination and sensitisation of information on *Unhu*. It is not a surprise that although *Unhu* is a philosophy associated with positive attributes, it is not well known by people within the Zimbabwean society. The attributes are little known especially among the generality of the people. And, at times it is the people, particularly the youngsters, who confuse the attributes of *Unhu* by limiting it to how, for example, one dresses or greets others. The major cause of such misconceptions is that there is no adequate space in the education curriculum to disseminate this philosophy. The educational system is dominated by foreign ideologies which are largely reflected in the day to day practices of people. In particular the individualism has become the dominant force in the people's way of life at the expense of communal culture (Lutz, 2009). In relation to the *Dare*, the challenge is that the system

has been negatively affected by Western influences in the form of urbanisation which has promoted individualism in many sections of the society, particularly the young generation.

Closely connected to the first challenge, is the proliferation of foreign ideologies. Noteworthy is the fact that 'modern' societies are constituted by people from different and varying cultures and backgrounds. The coming together of different people has somehow caused cultural exchanges and dilution of different cultures in the name of multiculturalism. The cultural dilution has dealt a heavy blow upon the concept and practice of *Unhu*, in that some individuals compromise the *Unhu* practise by taking on other ideologies so as to fit into the new societies that they find themselves in. The exchange of cultures has also brought foreign ideas which appeal to people differently, especially the idea of individual rights and freedom over and above communalism's conformity to the group. In illustrating the effects of multiculturalism on *Unhu*, it is fair to say that multiculturalism demands reconciling *Unhu* with some aspects of foreign cultures. This process compromises the fundamental principles of *Unhu*.

New cultures have also affected the *Dare* system. The foreign (Western) court system has established itself, presided over by magistrates, lawyers, and some other 'qualified' individuals in the area of 'law.' Furthermore, the new system is alien to the traditional system in that communal participation is no more because only individuals summoned to court participate while others are mere onlookers. More importantly is the fact that there is now a dual legal system, with the 'traditional' system handling mostly civil cases, mainly in the rural areas while the 'modern' judicial system has a monopoly over criminal cases and is more popular with urban dwellers. In addition, the powers of the family-heads, village-heads and chiefs in the traditional court system have been severely limited by Western legal systems. This renders some roles of the traditional system out of sync and eventually rendering them irrelevant.

The third challenge is that some of the rituals, customs and practices associated with *Unhu* are obsolete. For example, the emphasis of *Unhu* on group prosperity through upgrading and working together has been overtaken by capitalism and

individualism. In addition, *Unhu*'s emphasis on sentimentalism (group over individual interests) may be misconstrued on the labour market as nepotism, favouritism and corruption which are criminal offence in the courts of Nepotism, for example, is favouring those that are close to you, particularly from your ethnic group or community, and discriminating against those who are not. In this sense then, *Unhu*'s idea of community prosperity runs the danger of being associated with discrimination and favouritism.

In the 21st century dispensation in which capitalism is the dominant mode of production, *Unhu* may be construed as discouraging personal achievement. *Unhu/Ubuntu* emphasises social achievement rather than individual pursuits (Afrocentric Alliance, 2001). This stems from the fact that an individual who seems to aspire and excel above the community is considered as going against the communal expectations and hence considered an enemy. Such thinking sounds retrogressive as it deprives individuals the right to fully express themselves through their ingenuity and initiatives.

It is quite apparent that the implementation of *Unhu* is fraught with a plethora of challenges. There is need for serious sensitisation, dissemination and teaching of *Unhu* throughout the different social facets of Zimbabwe. This will include discussions on *Unhu* at the political, social, economic and scientific levels. There is also need to focus on this concept through the different forms of media. Media is essential in disseminating the ideas of *Unhu* since it is accessible in one form or the other to all people. Another important disseminator of the concept will be the education system. The proposition here is that in the education programmes, *Unhu* ideas and ideals should be incorporated and applied since they are important facets of human living.

Conclusion

This chapter has revealed the importance of the *Dare* system among the Shona societies of Zimbabwe. In particular, the chapter showed that the *Dare* is a pertinent component in the social and political lives of the Shona people. In the social realm, the *Dare* is useful as a tool for social cohesion by helping to foster acceptable

behaviour in many Shona communities. In this regard, through the *Dare* system the community forms its own moral system which informs and influences how people should behave. At the *Dare*, the thinking and behaviour of the people is always directed towards the common good. The system operates through discussions and negotiations among the people. In this regard, the *Dare* system promotes the rights and responsibilities of the people towards each other. On the political front, the *Dare* system is an essential tool for forging reconciliation, peace and tolerance in Shona communities. The reconciliation process is expressed through the idea of social therapy whereby communal ills and disagreements are settled through rational communal discussions that aim at ending social dislocations and disharmonies. It is through the process of solving the communal mishaps that tolerance and harmony are also established.

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