



# *Ubuntu between tradition and modernity: on A report on Ubuntu by Leonard Praeg*

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In Part 1, I overview Praeg's points of departure, namely critical humanism, the openness of the norms of justice, the importance of potential, his conception of modernity, a violent ontology, and the state as locus of politics. The remainder of Part 1 concerns the main arguments of his five chapters. These are the shifting meaning of *Ubuntu* in precolonial, colonial and postcolonial Africa; Nyerere's *ujamaa* experiment in Tanzania as a case study of the dangers inherent in ignoring the colonial disruption *Ubuntu*; the myth of the complete break with the past allegedly represented by post-apartheid South Africa, and how the latter is haunted by *Ubuntu*, and Praeg's concluding link between text worker or construction worker and *Ubuntu*. In part 2, I critically discuss Praeg's account of modernity and his dualistic distinction between South African Africans and Afrikaners that need to be set aside to decolonise South Africa.

With *A report on Ubuntu* (hereafter *ARU*), Leonhard Praeg (2014) made a courageous and creative contribution to ongoing discussions of topics such as *Ubuntu*, postcolonial Africa and post-apartheid South Africa, as well as tradition and modernity. Having said that, despite its impressive achievements, *ARU* stands to be critiqued in a number of respects. However, before the points of critique can be raised, the broad argument of the book first needs to be considered. Doing justice to Praeg's broad argument is no small challenge, since his argument is quite nuanced and attempts to mediate between Western philosophy, African philosophy, colonial and postcolonial history, tradition and modernity, as well as communalism and constitutionalism – to mention some of the references in his broad argument. In the development of his broad argument, Praeg also displays his thorough knowledge of debates on *Ubuntu* over the past fifty years, as well as an admirable engagement with his own context as a contemporary South African philosopher.

In what follows in Part 1, I shall first discuss Praeg's key points of departure, namely critical humanism, the openness of the norms of justice, the importance of potential, his conception of modernity and its post- and hyper-variations, a violent ontology, and the state as locus of politics. In the remainder of Part 1, I discuss the main arguments of his five chapters. Chapter 1, "A political economy of obligation", is an excellent reconstruction of what *Ubuntu* meant in precolonial Africa, and how this meaning shifted during and after colonialism. In Chapter 2, "African modes of writing and being", Praeg gives a succinct overview of the postcolonial redefinition of *Ubuntu*. With similar brilliance and building on this, Praeg, in Chapter 3, "African socialism", uses Julius Nyerere's *ujamaa* experiment in Tanzania as a case study to demonstrate the dangers inherent in ignoring the disruption of traditional *Ubuntu* that colonialism wrought. In Chapter 4, Praeg first sets out to disabuse his reader of the myth so dear to both African nationalists and liberal constitutionalists of the complete break with the past that post-apartheid South Africa allegedly represents. Praeg's concern in the remainder of Chapter 4 is to argue that, due to the violation of its own vision that accompanied the birth of the new political order in South Africa, the latter is haunted not only in a negative sense by its violent past, but also in a positive sense by the ghost of precolonial *Ubuntu*. Finally, in Chapter 5, Praeg concludes with his own persona *vis-à-vis Ubuntu*, namely the "Text Worker or Construction Worker [... for whom] thinking is becoming and the mode of being is migratory" (Praeg 2014: 273).

In Part 2, I first argue that Praeg subscribes to a rather simplistic account of modernity that has been accepted in the perspective of postmodern French theory that became influential in Anglo-American (and South African) humanities discussions in the course of the past two decades. Secondly, I briefly offer another account of Western modernity that shows to what extent Praeg is himself a

modernist and ultimately bound to fail to rethink the notions of tradition and community whereby *Ubuntu* could play an even more powerful political role in South Africa's ongoing struggle for decolonisation. Following Danie Goosen, I argue that the challenge that Praeg and his French masters have to face is why their appeal to openness has any meaningful political bearing and – worse – how it in any way differs from (Hobbesian) liberalism's conception of freedom as the unimpeded realisation of individual potential, not to speak of its vulgar version, that is, the market's celebration of consumer "choice". Thirdly, I argue that Praeg subscribes to a problematic dualism between South African Africans and Afrikaners, a dualism that needs to be questioned in order to undertake the task of decolonising South Africa that must still be done.

## 1. *A Report on Ubuntu: the broad argument*

The central question that Praeg considers in *ARU* is what ongoing role *Ubuntu*, stripped from its original communal context, can play in the extension of justice in a post-apartheid South Africa based on a Constitution with individual rights. To answer this question, Praeg starts from a number of key points of departure, and develops his broad argument through five steps, each of which is worked out in five different chapters. First, his key assumptions are noted, followed by the five steps of his argument.

### 1.1 Key points of departure

To begin with, Praeg (2014: 12) aligns himself with critical humanism and makes it clear that he will approach *Ubuntu* in a critical humanist fashion:

The way I want to frame Ubuntu for the purposes of this report is as critical humanism. Within this frame, the word 'critical' refers to the primacy of the political [...] In this sense, the critical humanism I have in mind differs from traditional, Western humanism in at least one very important respect: the central focus of critical humanism is not simply the human – the human capacity for science, beauty and knowledge in a world that no longer defers meaning to a transcendental source. In critical humanism, 'the human' is a secondary concept; true to the logic outlined in the conversation above, a more fundamental or primary concern is with the relations of power that systematically exclude certain people from being considered human in the first instance.

Elsewhere Praeg (2014: 188) makes it clear that the concept of the human should remain open in order to be useful to a politics of justice:

[T]his lack of definitional clarity is not a problem that we need to solve, in order to ‘get on with politics’, as much as it is a condition for the possibility or *sine qua non* of any meaningful engagement with the political. In short, there is no such thing as humanism, but only a sustained praxis aimed at humanising the world, guided by a quasi-transcendental idea of what being human means.

Similarly, *Ubuntu* should remain open:

Ubuntu has no final origin, no essence that precedes or overflows the discourses that speak its name. Abstracted from ubuntu praxis, Ubuntu is largely, but never totally, dependent for its content on the socio-political context and the philosophies and ideologies invoked to articulate it (Praeg 2014: 76).

Praeg seems to insist on the necessity of this conceptual openness in support of Jacques Derrida’s later political messianism in which democracy and justice must always still come.<sup>1</sup> Pursuing a politics of justice, therefore, means to resist the impulse to claim that present constitutions and democratic institutions represent the last word on justice and democracy. In similar Derridean vein, Praeg (2014: 19) is weary about any kind of political or historical (Hegelian) teleology, and links the just with the possible when he affirmatively cites Nikolas Kompridis:

Is there anything more urgent today than to resist the sense that our possibilities are contracting or that they are exhausted? And is there anything more important for critical theory to do, any way to be more receptive to its calling, than to once again take on the task of disclosing alternative possibilities, possibilities through which we might recapture the promise of the future – through which we might recapture the future as promise?

Praeg’s critical humanist insistence on the openness of the norms of justice and the importance of the possible over the actual is coupled with three other important points of departure, one explicit and two implicit. The explicit point of departure in question is that the discussion of *Ubuntu* in post-apartheid South Africa takes place at the intersection of modernity, postmodernity and “hypermodernity”. Praeg’s two implicit points of departure are, respectively, of an ontological and institutional nature, that is, that any politics is underpinned by a violent foundation, and that the state is the locus of politics. His violent ontology comes to the fore time and again with statements such as: “The choice is only

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1 See Derrida 2005, Chapters 3 and 8, 2010, Chapter 2, especially pp. 73-83.

ever between a world in which violence remains invisible and a world in which we insist on making it visible” (Praeg 2014: 178).<sup>2</sup>

As for the state as locus of politics, Praeg (2014: 128), for example, describes the UN General Assembly as “the heart of the political [...] where states battle to defend and promote their real interests”. Elsewhere, the state in postcolonial Africa is considered the chief political agent: “Every new African state has had to create exactly what the colonial powers failed to establish, namely viable economies and coherent political identities” (Praeg 2014:136).

Praeg’s key points of departure – critical humanism, the openness of the norms of justice, the importance of the potential, his conception of modernity and its post- and hyper-variations, a violent ontology and the state as locus of politics – are indeed intimately related. These intimate relations will be the focus of the critical remarks below. However, I shall first focus on his broad argument as he develops it in the five chapters of *ARU*.

## 1.2 An argument in five chapters

Chapter 1, “A political economy of obligation”, is an excellent reconstruction of what *Ubuntu* meant in precolonial Africa, and how this meaning shifted during and after colonialism. As far as the precolonial meaning of *Ubuntu* is concerned, Praeg (2014: 37) follows Patrick Chabal (2009) to argue that in (precolonial) Africa “we come to understand the meaning of being in Africa by looking at three aspects that define it: origin, identity and locality”. Praeg (2014: 38) elaborates on this:

In Africa, not only is much importance attached to the geography of origin – evident in the link maintained between the place of origin and burial – but origin is also ‘a marker of community’ (Chabal 2009: 27). This social or communal nature of the origin can be dissected in terms of three further dimensions: land, the living-dead and belief systems [...] The belief system upon which ethical and socio-political values are erected draws intimately from the actual place of origin, the location and the roots of the self-acknowledged individual-within-the-community.

Praeg (2014: 42) describes this as the coincidence of being and belonging, and he is of the view that this comes down to a political economy of obligation:

To have no obligation is not to belong; it is not to be fully and socially human. Obligations therefore, are not seen – as the

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2 In this regard, Praeg’s thought is a textbook example of what John Milbank (2006) describes as postmodernism’s ontology of violence.

western concept seems to imply – as impositions, claims on one’s otherwise better used time and energy, but as a means of sustaining one’s place in a network of belonging.

In the remainder of Chapter 1, Praeg argues that, during and after the colonial period, the disruptive effects of colonialism on the communal framework and practices of *Ubuntu* saw a gradual redefinition of *Ubuntu* as no longer a local phenomenon, but as a phenomenon between the global and the local, or, to use his term, a “glocal” phenomenon. Praeg identifies four *a priori* notions that contributed to the redefinition of *Ubuntu*.

The first (global) *a priori* notion is colonialism, which contributed the following to the redefinition of the *Ubuntu* philosophy of interdependence:

The logic of interdependence was hence celebrated, not merely as a passing stage of development, but as a mark of cultural authenticity, of what is most unique about Africans and the African state and that should therefore be saved and appropriated as a *sine qua non* of the future development of these states (Praeg 2014: 49).

The second (local) *a priori* notion is urbanisation, which led to the broadening of the notion of community inherent in *Ubuntu*:

[W]ith urbanisation and the anti-apartheid struggle, came the expansion or secularisation of the formal principle of ubuntu praxis, so that it no longer referred to local, kinship-based and visible communities of metaphysical locality, but rather to larger, imagined communities of political practice (Praeg 2014: 51–2).

The third (global) *a priori* notion is the dialectic of recognition, whereby Africans, ironically during and after colonialism’s othering, became conscious of themselves as a collective, as black, and of *Ubuntu* as a distinct philosophy, which had its own conceptual repercussions:

Africans did not know they were black before Westerners told them they were not white, Africans did not celebrate their ‘communalism’ before colonialists told them they lacked a sense of individualism. [...] Following the logic of double consciousness, African communalism in general and Ubuntu in particular is a ‘white construction’ in the precise sense meant by Fanon, namely that Africans encounter it from the outside as a result of being told that they lack not only whiteness, but also a concept of the individual. Just as black people have set out in dialectical fashion to develop a meaning of blackness that would overcome its initial

postulate as lack, so they/we have set out in dialectical fashion to develop a meaning of communalism aimed at transcending the initial colonialist insistence that a lack of individualism equates a lack of humanity (Praeg 2014: 56-7).

The fourth (local) *a priori* notion is constitutionalism as 'liberation', with the implication that

in order for ubuntu praxis to be reappropriated as Ubuntu, a certain circumscription is called for, one through which the ontic orientation of ubuntu, the fact that 'having ubuntu' is a function of ritualised becoming-through-other people, will need to be deontologised or reinvented in order to retain its relevance in a postfunctionalist context, where our humanity or personhood as rights-bearing individuals is accepted as an existential and ontological bottom line (Praeg 2014: 60).

In Chapter 2, "African modes of writing and being", Praeg reviews how the above four *a priori* notions influenced the postcolonial redefinition of *Ubuntu*. Drawing on Deleuze & Guattari's (1996) notion of the conceptual persona, Praeg (2014: 96) identifies such personae that came to the fore in this redefinition:

These different conceptions of the political play out as differences regarding the possibility of past recovery and future autonomy (the Revolutionary); or a messianic anticipation that a fully recovered self can be offered to the world, either as a contribution to a 'Civilisation of the Universal' (as per Léopold Sédar Senghor) or as privileged, uncanny reminder of a shared humanity (the Saviour); alternatively, as the impossibility of knowing Africa, given its invention by the West, and therefore of being unable to act in the world with any certainty (the Archivist) or, alongside this persona, a fatalistic and often racist emphasis on the coercive subtext or 'dark side' of Ubuntu that, so the story goes, merely represents a more virulent form of the coercive tendency represented by any form of communitarianisms (the Conformist). Lastly, a politics in which the specificity of Africa (conceived as an autonomous subject with sovereign politics) is considered less important than the embrace of a sense of belonging, in which Ubuntu represents no more than a local name for a universal phenomenon (the Cosmopolitan).

Building on the above, Praeg, in Chapter 3, "African socialism", uses Julius Nyerere's *ujamaa* experiment in Tanzania as a case study to demonstrate the dangers inherent in ignoring the disruption of traditional *Ubuntu* that colonialism

wrought. The particular form that this ignorance took with Nyerere was the uncritical transposition of Marxist socialism from its Western industrial context to a relatively under-industrialised, agrarian African context in order to make the claim that *Ubuntu* was Marxist socialism *avant la lettre*. What the family and the local community was for precolonial *Ubuntu*, for Nyerere became the to be constructed nation and its national project of artificially constructed *ujamaa* villages. Praeg explains that Nyerere's *de facto* decontextualisation of original *ubuntu* to turn it into the self-conscious ideology of *ujamaa* could not but become a project of (state-driven) violent coercion. In this coercion, the formerly colonised Tanzanians, who lost the context in which Nyerere's cherished principles of family, love and work supposedly once flourished, had to be 'taught' those principles again – an endeavour that, for Praeg, could not but become coercive and violent.

After his review so far of the postcolonial redefinitions, uses and abuses of *Ubuntu*, Praeg turns his attention in the last two chapters to a sustained reflexion upon *Ubuntu* as a source for the ongoing broadening of justice in post-apartheid South Africa. More specifically, his reflexion is focused on the tense relationship between *Ubuntu* as a concept of justice and South Africa's constitutional law. Both chapters are called "The law", except that Chapter four is subtitled "First *epoché*", and Chapter five "Second *epoché*". Here, *Epoché* is the "Greek term for cessation or stoppage; hence, in the philosophy of the sceptics, the suspension of judgement" (Praeg 2014: 194).

In Chapter 4, Praeg first sets out to disabuse his reader of the myth so dear to both African nationalists and liberal constitutionalists of the complete break with the past that post-apartheid South Africa allegedly represents. In a passage that in passing also displays Praeg's violent ontology, he nevertheless writes with great perceptivity:

'Every new order announces itself through the violation of what it stands for' (Praeg 2008b: 218). It does not seem to matter whether the founding is violent or non-violent, the logic of the transition seems to require that what is new can never simply arrive in all its newness; that in order for the new to arrive, the new (or the We who stand for the new) needs to engage the old, even repeat the old, in a manner that cannot but violate, by contradicting, the new that is being announced. This is how 'the people' reconcile a violent decapitation of the *ancien régime* with a new vision of equality, fraternity and liberty, how the We brings about a new order of individual rights and due process by necklacing those whose actions threaten to prevent the realisation of this vision. This is how the We in South Africa reconciled actualising a constitutional



regime of individual rights by suspending the Biko family's right to due process, in the name of a constitutionally declared exception, legitimised by the anticipation of a new *nomos*. Lastly, this is how the We has reconciled the need to theorise a philosophy of shared humanity with the claim that this philosophy is a marker of cultural sovereignty, of that which is not shared by all humanity (Praeg 2014: 181).

Praeg's concern, in the remainder of Chapter 4, is to argue that, due to the violation of its own vision that accompanied the birth of the new political order in South Africa, the latter is haunted not only in a negative sense by its violent past, but also in a positive sense by the ghost of precolonial *Ubuntu*. Praeg (2014: 183) identifies three possible ways of the articulation of the ghost of *Ubuntu* with the new order, "three ways of understanding the relationship between Africa and the law implicit in this call to Africanise the law, three ways in which to think about filling the vacuum left first by colonialism and, since 1994, by the liberal-democratic retrodiction of tradition", namely the sovereign, the pluralist and the cosmopolitan. According to the sovereign position "we can speak of neither decolonisation nor postcolonial justice until the sovereignty of the African claim to land and the parity of African law with Western constitutionalism have both been recognised" (Praeg 2014: 184). The pluralist option "refers to a variety of arguments that, while accepting the sovereignty of the constitutional framework, nonetheless insists on giving more substance to the idea of legal pluralism, first introduced when Britain officially recognised indigenous African law alongside Roman-Dutch law" (Praeg 2014: 185). The cosmopolitan option, that Praeg (2014: 186) prefers, is

one that seeks to incorporate an abstraction derived from African law (*Ubuntu*) into the constitutional regime. What is most appealing about this option is that instead of a quasi-, if not explicit, nativist legal thinking pivoting on the right (sovereignty) or need (pluralism) to limit African law to the African subject, it effectively argues for the expansion of an abstraction derived from African law, applicable to all postcolonial citizens. And is this not what intrigues about the debate on *Ubuntu* and the law – the fact that *Ubuntu* can be and has been deployed (as far as the status of Constitutional Court judgments are concerned) in reference to an imagined, postcolonial We?

It is from this point onwards that the implications of Praeg's key points of departure, as summarised earlier, become clearer for his broad argument. One of these implications is his seemingly fatalist acceptance and, at times, positive affirmation of the modern liberal culture of rights, notwithstanding his strenuous

insistence on the need to mediate this culture in post-apartheid South Africa with the ethical appeal of the ghost of *Ubuntu*. For example, he writes that “decolonising will not come from a return to/of precolonial traditional forms of the political and/or law, but rather from an elimination of the postcolonial, racialised fault lines of rich and poor, through the realisation of socio-economic rights” (Praeg 2014: 204, my emphasis, JR).

The key to understanding Praeg’s view of the ethical relevance of the ghost of *Ubuntu* for post-apartheid South Africa lies in his conception of modernity as the point at which belonging becomes a self-conscious problem for thought:

[M]odernity is a deeply ambivalent moment. We associate it with the increased recognition and protection of individual rights and with the demise of traditional, communal bonds or moral praxes of custom and tradition, in which individuals used to live with a certain givenness of their belonging. We gain the recognition of our individuality by losing the givenness of belonging; inversely, we gain the givenness of individualism by denaturalising the assumption that we belong. Only once it is lost and has to be reimagined all the way from its ontological bottom up (by contrasting competing axiomatics of the juridical, for instance), only then can we say that belonging has become, first and foremost, a problem for thought. Beyond all its complexity, this is fundamentally what we recognise as the modern moment (Praeg 2014: 198).

It is precisely in re-imagining belonging “by contrasting competing axiomatics of the juridical, for instance” where Praeg sees a role for the ghost of *Ubuntu*. However, before elaborating on this role, and through a somewhat problematic reading of the young Hegel faced with a similar challenge in the modernising Germany (or Prussia, to be more precise) of his time, Praeg registers two qualifications.<sup>3</sup> The first is to argue for what he sees as the irreversibility of modernity, whereby no return to previous forms of community is possible – and with the tacit assumption that the question of community has to be raised in the context of the rights-based constitutional state. Secondly, and apparently in order to protect himself against possible accusations of an inherent bias towards Western modernisation as the only path to modernisation, on the one hand, and to

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3 Somewhat problematic, because he underplays the communal elements in Hegel’s thought that could be invoked against his reading of Hegel as more or less fatalist in his acceptance of the irreversibility of linear modernisation. One such element is Hegel’s notion of *Sittlichkeit*, according to which the norms of the community are both given by the community and have to be adopted time and again by a next generation for them to remain vibrant and ultimately transmitted again to a next generation. See, for example, Charles Taylor’s discussion of *Sittlichkeit* (1979).

make the case for the possibility of other (African) variations on modernisation, on the other, he argues for a “broccoli” or asynchronic conception of modernisation:

In the absence of an End, there can be no development, only change and difference of the fractal kind; that is, in the same sense we would talk about more and less developed broccoli florets, without suggesting that one is superior to the other for being bigger. [...] The key notion here is ‘asynchronicity’. Many societies (or ‘civilisations’, if you wish) all over the world have experienced and continue to experience evolution towards higher entropy (modernity), but not all at the same time (Praeg 2014: 214-5).

This asynchronous conception of modernity gives him the leeway to argue that apartheid and constitutionalism is ‘left behind’, whereas Ubuntu, through the accumulated disruption of its communal framework and practices through colonialism, somehow in spectral fashion shadows the present as a source of the extension of justice:

And if we are looking for a meaning and a place for Ubuntu in relation to this juridico-politically (un)founded, it is not to the quasi-transcendental or the Law of laws that we should turn, but rather to Ubuntu as un/familiar reminder of what South Africa’s modernity failed to ‘leave behind’ and of what continues to haunt it in the form of a reminder of the original injustice that was sacrificially excluded from its founding, contractual axiomatic (Praeg 2014: 223).

Finally, in Chapter 5, Praeg (2014: 273) concludes with his own persona *vis-à-vis Ubuntu*, namely the “Text Worker or Construction Worker [... for whom] thinking is becoming and the mode of being is migratory”. In this postmodern, clearly Derridean and Deleuzian approach, Praeg (2014: 226) elaborates upon his conception of modernity to make an interesting but ultimately questionable distinction between what he sees as the two poles of post-apartheid politics:

On the one hand, there is what we can describe as the (post) modernised *imaginaire* of those for whom belonging has been for some time, first and foremost, a problem for thought; on the other hand, there is the modernising *imaginaire* of those for whom belonging is in the process of becoming a problem for thought. For the former, institutions of modernity (such as the Constitution) derive their quasi-sacred status and legitimacy from the fact that they represent the last possible response to belonging as unresolvable problem for thought. For the modernising *imaginaire*, these same institutions have no such self-evident or internal legitimacy simply because, although

belonging has increasingly become a problem for thought, it has not yet become first and foremost a problem for thought; that is, a problem that can only be resolved by accepting as irreversible the inversion, to a significant extent, of the historical priority of praxis over thought, common good over individual freedom, belonging over being and so on.

What Praeg seems to have in mind here is that South Africans of “Western” descent have gone through a familiar Western trajectory of moving from unaware belonging, to a self-conscious problematisation of belonging, to an acceptance that a rights-based constitutionalism is “the last possible response to belonging as unresolvable problem for thought”. In turn, for South Africans of ‘African’ descent, still in the involuntary process of disruptive postcolonial and post-apartheid modernisation, rights-based constitutionalism does not have the same self-evident persuasion. Indeed, for Praeg (2014: 259), this is what is ‘hypermodern’ about post-apartheid South Africa:

[H]ypermodernism is a modernism that is, per definition, not afforded the benefit of this performative execution of modernism, the temporal dimension or passing of time between an initial or foundational forgetting and a later uncovering or un-forgetting of what made it possible. Hypermodernity is, from the start, or constitutively, self-consciously aware of the blind spots of modernism. The hyper in hypermodernism does not simply refer to the self-consciousness or meta-awareness of postmodernism, but very specifically to recognising modernity as modernity at the moment of modernity.

In other words, South Africans of ‘African’ descent are sufficiently aware of the price to pay for modernisation as to not execute modernisation wilfully. This is not to say that they, like everyone else, are exempt from the pull of modernisation, especially against the background of the disruption of their former communal framework and practices. Praeg now starts to focus more explicitly on the question that *ARU* seeks to answer, namely that of the possible mediation between a constitutionalist rights-based conception of justice and a redefined *Ubuntu* conception of justice:

[W]hat is most particular about post-apartheid modernity? Here the answer seems pretty straightforward: it is the radical asymmetry in the way that political institutions reflect the fundamental contradiction [between the constitution and *Ubuntu*]. This generates a second question: what role, if any, can *Ubuntu*-engaged adjudication play in the realisation of greater symmetry; that is, of a more just modernity, in which

the ontological axiomatic is reflected in the political institutions tasked with mediation between the pursuit of individual interests and the recognition of others as condition for the possibility of that pursuit? Of course, in order to answer the second question, we have to posit a meaning of Ubuntu adequate to the task. The meaning I advance derives from the first *epoché* and posits Ubuntu as figure of the un/familiar or uncanny (Praeg 2014: 229).

Praeg elaborates upon his conception of *Ubuntu* as an uncanny figure of justice via a detour through the well-known South African Derridean scholar, Johan van der Walt (2005). Rather perplexingly, Praeg (2014: 230) seems to uncritically accept Van der Walt's Hobbesian view of politics and freedom, whom he quotes: "Your freedom is not my freedom. Your freedom threatens my freedom. Mine threatens yours. This may be disconcerting, but it at least implies that we recognise ourselves to be more than one. This recognition is the beginning of political life". Praeg categorises Van der Walt as "neo-apartheid", due to the latter's failure to recognise the asymmetry between constitutional justice and *Ubuntu* justice in post-apartheid South Africa, and makes clearer why he sees *Ubuntu* as an uncanny source of justice:

The meaning Ubuntu acquires in a context of asynchronous modernities is that of the uncanny. Ubuntu fascinates not because of what it is, but because of the time in which it offers us an uncannily sublime reminder of the fundamental interdependence, which modernity everywhere threatens to 'forget' (Lyotard), leave behind, sublimate or develop in the performance of what, in various modes of its executory violence, it calls modernity, progress, development, maturity or increased complexity (Praeg 2014: 261).

For Praeg, *Ubuntu* is one of the tropes of modernity's forgetfulness – that of interdependence and community. In the vein of Derridean political messianism, this memory is also one of the future justice that must come: "there is at work a certain type of eschatology that holds out the promise of a future reunification of ubuntu with Ubuntu" (Praeg 2014: 289).

In a particularly salient and vintage Derridean move in his broad argument, Praeg (2014: 271) points to the injustice inherent in the foundation of the 'just' post-apartheid order:

[T]he a priori of rights-bearing individualism that informs the Constitution was also embraced by the liberation struggle as a *sine qua non* of liberty, so that the final Constitution of 1996 marks both the culmination of the struggle against colonialism (the 'birth

certificate' of the new nation, with all its attendant implications of a final execution [Ebrahim 2011]), as well as the culmination of colonialism, understood as the triumphant grafting onto Africa of a Western political form.

As will be made clearer in the critical remarks below, it is because of Praeg's Derridean acceptance of liberal modernity and the state as the locus of politics that Praeg ends *ARU* with this rhetorically resounding, but ultimately politically impotent formulation on the past and the future of *Ubuntu* as a spectral source of post-apartheid justice:

Ubuntu – a function of modernity as much as a critique of it – is a sign, of both an original in/justice that cannot be recovered and an excessive justice that must be possible; Ubuntu-engaged adjudications amount to both a universal articulation of the altruistic and a particular, contextual engagement with this immemorial past that haunts us as the question about the justice of justice – a sign of hypermodernity that *will* perpetually shadow our liberal democratic project with *necessary* incompleteness (Praeg 2014: 277, my emphases, JR).

The critical remarks that will now be offered in conclusion are guided by the question as to whether South Africa is bound to be stuck in Praeg's hypermodernity, that is, whether the question of community as a source of justice in the form of *Ubuntu* – but not only *Ubuntu* – is bound to remain a sort of ghost, instead of justice incarnated.

## 2. Critical remarks

In the discussion of Praeg's key points of departure, it was stated that critical humanism, the openness of the norms of justice, the importance of the potential, his conception of modernity and its post- and hyper-variations, a violent ontology and the state as locus of politics are indeed intimately related. How these are intimately related and why they are problematic can now be explicated. In order to do this, reference to the much-discussed concept of modernity has to be made.

In the perspective of postmodern French theory that became influential in Anglo-American (and South African) humanities discussions in the course of the past two decades, an account of modernity has emerged that can be summed up as follows. This account would have it that reality is of a violent, contested nature in which the modern territorial state irrevocably disrupted a gentler,

communal past never to be regained.<sup>4</sup> Hence, in the present, our best hope is to accommodate our given social nature with a rights-based constitutional order of justice in the state as the locus of politics. In this account, Hobbes, after all, turns out to be the unwitting prophet of our present, since he not only described the violence to which we are delivered in the state of nature, but also prescribed the solution to this condition with the social contract whereby power is transferred to the sovereign whose first duty and, in fact, source of the legitimacy of his authority is to ensure the security of citizens. With his acceptance of a violent ontology and the state as the locus of politics, Praeg is a clear adherent to this

- 4 Nietzsche who, along with Heidegger, Freud and Marx, was one of the great influences on French postmodern theory, set the tone for this account with his ontology of power summed up in the closing lines of his *The will to power*: “*This world is the will to power – and nothing besides!*” (Nietzsche 1968: 550, his emphasis). Foucault (1977), who was perhaps the most Nietzschean of the French postmodern theorists, extended the Nietzschean ontology of power and violence with his notion of modernity as control exemplified by the notion of discipline that spread through the whole of modern society and ultimately became inseparable from the modern state. For example, Foucault (1977: 215–6) writes: “‘Discipline’ may be identified neither with an institution nor with an apparatus; it is a type of power, a modality for its exercise, comprising a whole set of instruments, techniques, procedures, levels of application, targets; it is a ‘physics’ or an ‘anatomy’ of power, a technology. And it may be taken over either by ‘specialized’ institutions (the penitentiaries or ‘houses of correction’ of the nineteenth century), or by institutions that use it as an essential instrument for a particular end (schools, hospitals), or by pre-existing authorities that find in it a means of reinforcing or reorganizing their internal mechanisms of power [...] or by apparatuses that have made discipline their principal of internal functioning (the disciplinarization of the administrative apparatus from the Napoleonic period), or finally by state apparatuses whose major, if not exclusive, function is to ensure that discipline reigns over society as a whole (the police)”. Needless to point out that all the institutions to which Foucault refers here are institutions of the modern territorial state. Another famous French Nietzschean, Deleuze, who went on to work out a Nietzschean ontology of power in great detail in *Nietzsche and Philosophy*, along with his writing partner, Félix Guattari, thus elevated the state to an overarching category that determines history: “Being the common horizon for what comes before and what comes after, it conditions universal history [...] the cold monster that represents the way in which history is in the ‘head’ in the ‘brain’ – the *Urstaat*” (Deleuze & Guattari 1984: 220–1). Derrida, for his part, also saw power everywhere. For example, in the famous opening essay of one of his best-known books, *Writing and difference*, “Force et signification”, he writes: “Dire la force comme origine du phénomène, c’est sans doute ne rien dire. Quand elle est dite, la force est déjà phénomène. Hegel avait bien montré que l’explication d’un phénomène par une force est une tautologie. Mais en disant cela, il faut viser une certaine impuissance du langage à sortir de soi pour dire son origine, et non la *pensée* de la force. La force est l’autre du langage sans lequel celui-ci ne serait pas ce qu’il est” (“To say that the origin of a phenomenon is a force is without doubt to say nothing. When it is said, force is already phenomenon. Hegel showed well that the explanation of a phenomenon by a force is a tautology. But in saying this, one must see a certain powerlessness of language to exit from itself in order to say its origin, and not the *thought* of force. Force is the other of language without which the latter would not be what it is.”) (Derrida 1967: 45, his emphasis).

account. To the extent that he insists on the openness of the norms of justice and the importance of the potential, he is also perfectly in tune with leftist critical theory after Derrida and Deleuze with their hymn of becoming, the migratory, the just and the democratic to come, and so on.<sup>5</sup> However, things are not that simple – or fatal. At this point another increasingly influential account of Western modernity can be considered as a critical counterpoint to the above account.

According to this account, Western modernity is the result of the reworking of Christian ideas, institutions and practices.<sup>6</sup> On an ontological level, the groundwork for Western modernity was laid by a number of high to late medieval thinkers who later came to be described as nominalist, especially Duns Scotus and William of Ockham. Scotus's important contribution was to diverge from the classical Christian view of God as a person (or three persons, to be more precise) beyond being, by arguing that God is not beyond being, but the highest being. This is known as the position of the so-called univocity of being. Not only did this position thus resuscitate the pre-Christian Greek view of being – there is nothing beyond being – but it also became the view of being implicit in modern materialism, Nietzsche, Heidegger (who wrote his doctoral thesis on Scotus), and French postmodern theorists influenced by either of the latter two, including Derrida, Deleuze and Foucault.<sup>7</sup>

In the wake of Scotus, Ockham did away with Aquinas's synthesis between God, man and nature and his analogical thought, by arguing that God's omnipotence is a more important attribute than His love or His reason. For Ockham, from this follows that God is ultimately unknowable and unpredictable, that instead of an order of being, we are left with the unknowability and perhaps chaos of being, that there are no general categories of being, but simply individual beings (a view that would return in the French postmodern concept of the singular in thinkers such as Deleuze, Derrida and Bernard Stiegler), and that language has no link to what it describes (a view that would return in Nietzsche, as well as in the key

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5 As for Deleuze, I refer here to the hope that he and Guattari in *Anti-Oedipus* put in the figure of becoming *par excellence*, namely the nomad. As for Derrida, I refer to his so-called messianic turn in his later work, in which he reasoned that, since justice and democracy are never fully realised, since they are always messiah-like still to come, it is our duty to keep on striving for their realisation. See, for example, how he works this out in relation to the duty of hospitality towards the foreigner in *Cosmopolites de tous les pays, encore un effort!*

6 For some of the key aspects of this account see Achterhuis 1988, Cavanaugh 2009, Dohrn-Van Rossum 1996, Gillespie 2008, Gorski 2003, Illich 2005, Milbank 2006, Pickstock 1998, Prodi 2006, Taylor 2007, Yannaras 1998.

7 For an excellent discussion on Scotus and the univocity of being, see Pickstock 2005. For a view of how Heidegger as modernist thinker reworked a number of Christian motifs, see McGrath 2006.



founder of the French postmodern view of language, De Saussure, and later thinkers influenced by him in this regard such as Derrida and Foucault).<sup>8</sup>

As Hans Acherhuis (1988) has shown, the classical Christian view of reality as abundant was replaced by the modern and ultimately secular view of reality as scarce. This view of reality not only served to justify capitalism as the massive and ongoing economical effort to address this scarcity, but also the modern territorial state as the institution claiming to provide for its citizens. The same notion of scarcity also served the modern territorial state in its justification for its territorial wars and taxing of its population, including Western imperialist and colonialist expansion.<sup>9</sup> The modern Western territorial state also neutralised and shrunk the sphere of socio-political influence of the most important medieval institution, the church. Koos Malan (2011), William Cavanaugh (2009) and Phillip Gorski (2003) have shown that a variety of strategies were pursued in this regard. One such strategy was the re-invention of religion as a matter of private conviction, institutionalised in the separation of church and state, and theorised by enthusiastic allies of the modern territorial state such as Machiavelli, Bodin and Locke. Another strategy in the same period was to usurp the absolute authority of the church through notions such as the so-called divine right of the sovereign, the invention of the individual and its 'rights' as counterpart of the state, and the post-Westphalian confessional state where the ruler had the right to determine the faith of his or her subjects. Yet another strategy that was more prevalent in Protestant states was the takeover and refinement of the care for the ill, the elderly and the poor as tool of state discipline.

Two further aspects of this account of Western modernity are of particular relevance to the discussion with Praeg, namely tradition and community. It falls beyond the scope of this article to discuss these two vital aspects in detail; nevertheless the following brief points must be made. As far as tradition is concerned, it is notable that, where tradition was the norm for ancient and classical thinkers from Socrates to Aquinas, the rejection of tradition became the norm for modern thinkers such as Machiavelli, Hobbes, Descartes, Locke, Marx and Nietzsche. Without exception and to a man, every single one of them would argue that traditional thinking before them was out, and that they would lay out a new course that would change the world for the better. As Goosen (2007, 2012) argues, and as I shall discuss in more detail below, inasmuch as so-called

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8 For an overview of Ockham as founder of modernity, see Gillespie 2008.

9 For an overview of the rise of the modern territorial state, see Ertman (1997), who has memorably showed that this institution is built on war, tax and territorial expansion. Kern (2003) shows how the argument of scarcity was invoked in the last third of the nineteenth century by the most powerful industrial Western European states to colonise Africa.

postmodern thinkers such as Heidegger, Derrida, Foucault (and Komprides) appeal to the possible and the new, they are as modernist as the afore-mentioned founding modern thinkers. But as Alasdair MacIntyre (1988) has shown, there is ultimately no concept of justice or reason outside a tradition. In support of MacIntyre, Western modernity can therefore be described as *the tradition that begins with the denial of tradition*.

As for community, it should be pointed out that the modern state – and, for that matter, modern ideologies as diverse as Marxism, liberalism and nationalism – has little patience with any kind of independent cultural, linguistic or local community. As Robert Nisbet (2010) has shown, the key social tension of Western modernity is not that between the individual and the state, but that between communities and the state. It is precisely inasmuch as the modern territorial state disrupts communities and their institutions that the modern notion of the individual appears. To appeal to this atomised entity as the foundation of freedom, ethics or politics is to uphold the modern state and its intolerance of genuine diversity and community. Therefore, if there is a political struggle that really challenges Western modernity (and its imperial and colonial legacies), it is not primarily on the level of constitutions, rights and individuals, but on the level of communities and their institutions – schools, churches, clubs, community-oriented trade unions, and so on.

In the extension of the above account of Western modernity, the South African philosopher and Derridean expert, Danie Goosen, investigates the ontological presuppositions of the modernism to which Praeg, following his French masters, apparently unwittingly subscribes. Goosen explains how modernity comes to view the *telos* – the meaningful precondition of the actualisation of potential – as a repressive obstacle to the immanent. The upshot of this modern suspicion is the modern glorification of potential, a glorification that has become a darling of the contemporary fashionable French-inspired Anglo-American academic left. Goosen (2012: 56) writes:

Freedom is no longer realised through the actualisation of one's nature. Freedom rather turns in on itself, as if caught in its own narcissistic reflection. Henceforth freedom is about potentiality for the sake of potentiality, or about the mere ability to choose. In many respects postmodernism radicalised the modern preference for the historical, for the endless pliability, the pure potentiality of being.

As demonstrated earlier, Praeg buys into this modernist left glorification of potentiality with his insistence on the “critical humanist” openness of the norms of justice, which includes the human and *Ubuntu*. The challenge that Praeg and his

French masters have to face is why their appeal to openness has any meaningful political bearing and – worse – how it in any way differs from (Hobbesian) liberalism's conception of freedom as the unimpeded realisation of individual potential, not to speak of its vulgar version, that is, the market's celebration of consumer 'choice'. After all, no institution is more effective at the Nietzschean, postmodern transvaluation of all values than the market:

Thus endless transvaluation is the law of the market, and its secret faith is the impossibility of anything beyond this law; and as this law and this faith mark the triumph of the nothing, their 'moral' logic is simply that of the absolute liberty of the will (Hart 2004: 433-4).

In the extension of the alternative account of Western modernity and its legacy, briefly offered earlier, it would also seem that Praeg's conundrum derives from his all-too modern acceptance of the modern territorial state as the locus of politics, his fatalistic assumption that rights have replaced community, and his very curious failure to flesh out the concept of community – very curious, since his entire book pivots on a communal critique of rights-based constitutionalism's conception of justice. Arguably, Praeg's failure to flesh out the concept of community stems from his apparent acceptance of the 'fact' that the modern territorial state permanently usurps pre-modern communities and the concomitant postmodern assumption that invoking community in any other fashion than a gentle gesture in the direction of the ghost of community is risky. What seems to be at work here is a failure to identify modern state manipulations of community – Stalinism, communism, nationalism, Nazism, *umajaa* and the like – for what they are, that is, various forms of instrumentalising the human longing for community.

It is this failure to tackle the modern territorial state in postcolonial Africa that seems to lead Praeg to his defeatist acceptance of the irredeemable injustice in the founding of a new, just post-apartheid dispensation in which *Ubuntu* as the spectral placeholder of community is reduced to an impotent memory of what could and should be. Praeg (2014: 227) seems to be aware of this *aporia* – to use one of his favourite terms – inasmuch as he recognises a

praxis of belonging, rooted in custom, tradition and religion, to conceal the fundamental contradiction at the heart of the human condition, in order to lend belonging a certain actionable givenness. In other words, belonging is still a viable praxis and the claims of institutions of modernity to derive their legitimacy from being the last bulwark against the inevitable fragmentation of the social, a danger that always simmers below the surface of the social as a

result of our contradictory human nature, go begging, remain suspended or simply have no currency.

In the above citation Praeg writes about South Africans of 'African' descent for whom, in his view, fragments of a communal framework and its practices have survived colonialism and apartheid. Here, sadly, Praeg betrays, however, the extent to which he himself has bought into Western, French postmodern theory. Why? Because he gives no inkling of an awareness of the fact that the modern territorial state in South Africa that came into being with 'unification' in 1910, over against the wishes of the majority of Afrikaners and Africans, never succeeded in legitimating itself sufficiently in their eyes for them to let go of their communal frameworks and practices. And also because he never for a moment considers that Afrikaners, whom most would consider 'Western' South Africans, after apartheid in their communal economic networks and their attachment to language, culture and mutual recognition of their compatriots of other cultural communities, display a "praxis of belonging, rooted in custom, tradition and religion".<sup>10</sup>

Here one thinks of how a variety of Afrikaner community associations that existed before 1994 or were founded after 1994 emphasise the need for self-reliance in the face of an inefficient state, as well as the need to cooperate with other communities without recourse to the state. In this regard, appeal is often made to how Afrikaners achieved economic and cultural independence between the seventeenth and the twentieth centuries through diverse initiatives and practices such as agriculture, economic self-help movements, the modernisation of Afrikaans, and so on.<sup>11</sup> As Moeletsi Mbeki once summed it up to me in a personal conversation, the key to understanding a renewed sense of post-apartheid self-reliance among Afrikaners is the fact that they have consistently remained involved in economic production and managed to transmit this knowledge

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10 This is not to argue that the expression of the human need for community will never lead to forms of injustice. Apartheid, for example, clearly was a form of injustice linked to the expression of the need for community.

11 Duvenage (2014) shows that Afrikaner nationalism could become such a powerful movement between 1900 and 1948, because it could build on a collective self-consciousness that emerged as a result of initiatives and practices of cultural and economic independence among Afrikaners in the eighteenth and nineteenth centuries. Afrikaners' enthusiastic and ultimately doomed embrace of the colonial state structure post-1948 certainly went hand in hand with the further deepening and instrumentalising of this self-consciousness, which is ironically in post-apartheid South Africa instrumental in rebuilding cultural and economic self-reliance. However, in crucial contradistinction to the period between 1948 and 1994, there is no discernible claim in this post-apartheid Afrikaner movement for a nation-state, and great emphasis is laid on a politics of mutual recognition with other communities in South Africa.

through the retention and continuous development of the Afrikaans language. Similarly, networks of social solidarity, informed by *Ubuntu* praxes, have survived disruptions and are empirically observable in African societies across our country and region. Here one thinks of practices such as the traditional *stokvel*, extended families supporting a child at university, and perhaps even how social grants are often used to maintain extended families.

Does that make these former colonised colonisers ironic exponents of *Ubuntu*? Or does this prove that both the Afrikaner communitarian-republican tradition and *Ubuntu* embody an ontology of community?<sup>12</sup>

I would argue for the latter and that, hence, instead of a rhetorically resounding, but ultimately impotent political messianism, what post-apartheid South Africa now needs is a wholesale rejection of Western modernism's prohibition of community; an injunction that was always resident in *Ubuntu*. Let us rather compare notes on the ways in which colonialism, Afrikaner nationalism and Afro-nationalism's unitarian state has disrupted our communal ways and draw on whatever of the latter has survived in order to build a just, tradition-mediated alternative modernity.

This, and nothing less, is what South African decolonisation would demand of us.

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12 Duvenage (2014) provides an extensive survey of the Afrikaner communitarian-republican tradition.

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