The Significance of "Africanness" for the Development of Contemporary Criminological Propositions: A Multidisciplinary Approach

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Abstract

A consequence of the post-modern world is a highly critical, fragmented and unconventional world in which the status quo, such as dominant cultures and societal norms are constantly challenged. Within this context, this article reflects upon notions of "Africanness" and a traditional African paradigm, as well as the ideals on which social and normative interaction and principles can be based in contemporary society. Furthermore, as a result of the diverse, yet eclectic nature of South African society, it is postulated that criminological theories would require a multivariate as opposed to a linear approach to its analysis and application to a multitude of experiential worlds.

Introduction

Du Toit (Prinsloo, 1999) maintains that people have a universal psychological need for long-term security in that they seek a safe, orderly, predictable, lawful and organised world in terms of what Douwes-Dekker and his co-workers (Prinsloo, 1999) list as social order, equity and justice. However, in a culturally complex and/or divided society, divergent ethnic identities reinforce the fragmentation of communities into social compartments with distinct social institutions.

We each face the integration of life, the universe and everything with few really useful clues from our mainstream culture and educational systems. The blind spot in our civilization when it comes to wholeness and loops goes back a long way. Enlightened traditions cling to the idea that explanations can be built of short causal chains: event A causes event B, which causes event C. Loops are prohibited because they are hard to analyse, introducing non-linear terms into the equations. De Liefde (2003: 52) reiterates that African culture is characterised by cyclical thinking processes "in which cause and effect are interchangeable factors. That cause

and effect continually follow each other like links in an unending chain has consequences for the African experience of identity."

A Traditional African Paradigm in a Postmodern World

The previous statement regarding circularity can be applied in our analysis of African philosophy and should be kept in mind when African theories of crime are explored.

Too often existing theoretical assumptions have many blind spots and attempts to explain causality of crime from a linear perspective may leave us unsatified and wondering if what we see is reality or our vision of reality. In traditional African thought two basic notions of causality exist, namely primary or non-mechanistic and secondary and mechanistic (Sogolo, 2002). Sogolo (2002) presents an example of someone becoming ill to explain causality. He illustrates the instance where someone falls ill with malaria, where the illness is an affliction resulting from a mosquito bite. A Westerner would attribute the illness to the bite and see it as a natural event that takes place accidently. It would be viewed as the primary cause of the illness. However, according to African philosophy this answer would be based upon the secondary and mechanistic notion of causality. Rather the sufferer will seek a primary cause and ask "Why me, why such a severe attack and why did it not happen to someone else" (Sogolo, 2002: 198).

This view on primary and secondary causality may provide an explanation for the African belief that when individuals become victims of a crime, it may not just be that they were victims of an opportunistic crime but rather that someone deliberately targeted them for revenge or some other personal motive, thus asking the question of "why me"? A secondary and mechanistic explanation of causality is, therefore, sought rather than an acceptance that the person was merely in the wrong place at the wrong time.

Furthermore traditional African explanatory models are not intended for the control of natural phenomena. For example the telling of stories or divination are not used by African practioners to "change the order of nature" (Sogolo, 2002: 192). No attempt is made to change, stop or control events from taking place. Any events are viewed as outside the realm of morals and that they cannot influence events. The human may however intervene in natural events. If given prior information or warning of an event the individual can move beyond the reach and influence of the event. Thus Sogolo (2002) sees the quest to seek causality for primary causes beyond the level of the physical realm. Unlike causality in Western cultures, the concept of chance is discounted and does not play a significant role. Primary

and secondary causes are not in conflict with each other. Rather they form part of a two-dimensional approach to causal explanation in African thought.

Thinking of togetherness and social responsibility cannot be separated. "In African thought this is just as self-evident as nature and culture belonging together and being mutually supportive. Nature and culture not only belong together, they preserve each other" (De Liefde, 2003: 52).

The concept of *ubuntu* underlies the rules of social interaction – at least historically. The biggest impact of *ubuntuism* appears to be a proactive and interactive socio-cultural learning process (see Nafukho 2006).

Ubuntuism as a Normative Context

According to Nafukho (2006) the *ubuntuism* concept is based on the African philosophy and way of life known as *ubuntu*. According to Nafukho (2006: 409) "*ubuntu* is a word from the Southern African Nguni language family (Ndebele, Swati/Swazi, Xhosa and Zulu), *omundu/muntu* in the case of Eastern African Bantu speaking people, or *mtu* in the case of the Swahili language spoken by more than 100 million people living in Africa." Nafukho (2006) explains that *ubuntu/omundu/muntu/mtu* means humanity or fellow feeling and/or kindness. Acording to him "it is an African worldview enshrined in the maxim *umuntu ngumuntu ngabantu*, meaning a person is a person through other persons" while "*omundu nomundu wa bandu*" has the same meaning in Eastern Africa (Nafukho, 2006: 409).

Nafukho (2006) avers that in traditional Africa *ubuntu* represents the rule of conduct and/or social ethic in the sense that it recognises humans as social beings who need to be with others. De Liefde (2003: 52) explains that this view differs from individualised Western thought in terms of an African "I am because we exist" worldview where African people exist primarily within a group context.

According to Nafukho (2006) *ubuntu* is based on three principles namely, spirituality, consensus building and dialogue.

Religiosity (spirituality)

According to Nafukho (2006: 409) essentially *ubuntu* has a religious basis and focuses on "character formation as the cornerstone of African traditional learning taught through African traditional education". Consequently, spirituality plays a key role in society, uniting ancestors with the living and the extended family.

Dying was considered an ultimate homecoming. Thus, not only must

the living and the dead share with and care for one another, but the living and the dead depended on one another. African people used ancestors as mediators between themselves and God. In African societies, there was an inextricable bond between humans, ancestors, and the Supreme Being. *Ubuntu*, therefore, implies a deep respect and regard for religious beliefs and practices that were supposed to guide all human life endeavors (Nafukho 2006).

Consensus building

Bangura (Nafukho, 2006: 409) argues that traditional African culture has an unlimited capacity for the quest for consensus and reconciliation. He believes that:

> African-style democracy operates in the form of lengthy discussions. Although the discussions value the hierarchy of importance among the contributors to the discussion, the speakers are normally provided with an equal chance to speak up until an agreement, consensus, or group cohesion is reached. The final agreement in the African dispute-building process was signified by *omulembe,* "peace"; *obulala*, "togetherness"; *umoja*, "oneness"; *amani*, "peace"; and *simunye*, "we are one" and "unity is strength"… Thus, the desire to agree within the context of *ubuntu* safeguards the rights and opinions of individuals and minorities to enforce group or team solidarity. The consensus tenet of *ubuntu* requires an authentic respect for individual rights and cultural values and an honest appreciation of differences among various African cultures and other cultures from both within and outside of Africa.

Dialogue

Ubuntu recognises the power intrinsic to the capacity for dialogue in a given family, community and society to talk with one another, stemming from the traditional African society's reliance on dialogue as a means to create "meaning of life" (Nafukho 2006: 410).

However, Bangura (Nafukho, 2006: 410) notes that "with its particularity, individuality and historicality, *ubuntu* inspires us to expose ourselves to others, to encounter differences of their humanness in order to inform and enrich our own". According to Bangura (Nafukho, 2006: 410), *ubuntu* respects the beliefs and practices of others.

> If we are to be human, we need to recognise the genuineness (otherness) of our fellow humans. This can be achieved through exchange in dialogue with people we meet and associate with through work or other community-related activities.

Nafukho (2006) emphasises the significance of individuality in society in terms of the collective. According to Bangura (Nafukho, 2006: 410)

> The word individual signifies a plurality of personalities corresponding to the multiplicity of relationships in which the individual in question stands. It does not refer to solitary aspects of human existence to the detriment of communal aspects. This conception of individuality involves moving from solitary to solidarity, from independence to interdependence, from individuality vis-à-vis community to individuality à la community.

Contrary to what is propagated in liberal democracies, *ubuntuism* is believed to discourage the notion that the individual should take precedence over community. Nafukho (2006: 410) indicates that "true" *ubuntu* "preserves the other in his or her uniqueness, without letting him or her slip into the distance" by integrating dialogue in terms of close knitted relationships in which every individual in society is acknowledged and respected.

> The *ubuntu* concept of life is a process of realisation through others; it simultaneously enriches the self-realisation of others. It seeks to promote social networks, norms and trust that should serve to increase individuals' productivity in organizations and in society (Nafukho, 2006: 410, 411).

Dialogue also serves a more strategic objective of critical scrutiny, according to which dialogue can be considered as the "highest form of warfare"; "the living conscience of the community" (De Liefde, 2003: 56, 58).

Nafukho (2006: 410) admits, however that, as a result of change "dialogue is hardly respected in many contemporary African societies, as is evident from the widespread violence that is now found in Africa." A particularly disturbing example are the xenophobic attacks on foreigners in South Africa in 2008. The violence originated in the Alexandra township in Johannesburg when residents attacked foreigners who lived among them on 11 May 2008. The violence escalated to other regions of the Gauteng province and within a week the deaths of 62 people and 670 injured imigrants were recorded by the police (see *World News Desk*, 12 June 2008).

It has been reported (see *World News Desk*, 12 June 2008), that more than 50,000 foreigners fled their homes as mobs armed with knives, sticks and petrol bombs moved through various regions and began looting and setting fire to their victims' belongings. Police lacked the manpower to deal with the violence and were assisted by the South African Defence Force who had to be mobilised to assist in bringing the situation under control.

As a consequence of the attacks many post-apartheid relationships with South Africa's African neighbours were negatively influenced. Peter Kagwanja, a reporter for the *Kenyan Nation*, wrote, "The immediate victim of the orgy of xenophobia is the African migrant. But the long-term loser is

President Thabo Mbeki, whose legacy of African Renaissance has suffered a serious blow" (*World News Desk*, 12 June 2008).

African Epistemology

On the notion of African thought, the African epistemology should be explored. One can set off with the epistemology of the nature and origin of our knowledge of African theory and philosophy. Epistemology is the philosophical study of knowledge itself (Williams & Arrigo, 2006). According to Kaphagawani and Malherbe (2002), while epistemology is the study of knowledge, the way in which a society aquires its knowledge varies according to socio-cultural contexts within which these knowledge claims have been formulated and articulated. Thus the variations within the many various cultures in Africa must be considered.

From a traditional African perspective, knowledge is not acquired by labour but is rather "given" by the ancestors (Hamminga, 2005). It is also based on the shared social dimension of not "I" know, but "we" know. According to Nasseem (2002) much experience is passed down from one generation to the next. Experiential knowledge forms the cornerstone of the African epistemology. This knowledge is also not universal but local tribal, with other tribes having aquired different knowledge (Hamminga, 2005). Modern African society has developed into its current form through the advent of Western thought and should be understood within a framework and awareness of the conflicting nature of the two ideas of knowledge, those Western and alternatively, those African. From a traditional African point of view, leadership does not reflect an isolated position of power, but persons at the center of the community who have the sensitivity to "see" and "hear" (De Liefde, 2003: 78).

Nasseem (2002) states that the African epistemology maintains that no knowledge of reality exists if the individual is detached from it. Knowledge is the integration and co-operation of all human faculties, experiences and feelings. Imagination, reasoning and thinking take place simultaneously. The person's sense of reality advances the individual's knowledge base. One must, therefore, guard against stating the African view as if it is a Western one (Nasseem 2002). By implication this articulates the necessity to explore this view without placing it in relation to Western paradigms. The African epistemology is based upon a cultural world which differs from a Western one in relation to its philosophy of integration and principles of understanding.

Nasseem (2002: 261) is of the opinion that Senghor has made this critical flaw. Senghor's (in Nasseem 2002: 261) view is that the African epistemology started with the premise of "I feel therefore I am". Nasseem

(2002: 261), however, argues that this is a reflection of the influence of European scholars and that it should rather be explained by the epistemology of "We are, therefore I am" and by processes of inter-thinking. Also see De Liefde (2003).

Nonetheless, throughout history the fabric of African society has been influenced, changing both the pattern and search for knowledge (Nasseem 2002). According to Kaphagawani and Malherbe (2002) the African epistemological continuum has been influenced by Islamic intrusion and the integration of a Western scientific tradition. This has left its mark on African epistemology, resulting in a philosphy which is characterised by the rational, illuminative method of Islam, the analytical and discursive procedures of the West and the internal original culture-bound participatory tradition of Africa (Nasseem 2002).

This African epistemology should form the basis for any dialogue on African criminological theory. It is necessary to distinguish between African and Western philosophy and to examine the effect on theory.

Historical View

According to Dalgleish (2005) in the 2000's attention to African criminological writings started to transform as several authors began to advance criminology in this area of the world. Nevertheless, he believes that historically criminology of the African continent is under-researched. Further to this the penmanship concerning pre-colonial African history, especially that of sub-Saharan West Africa, is largely ignored by mainstream academia.

Compared to Europe and America, criminology in South Africa has a short history and is founded on the basis of European and American Criminology. South African criminology acknowledges and applies the theories of the pioneers in Criminology (Mannheim, 1972). Presently there is much debate in academic circles to move away from European and American theories of crime and to move towards an Africanisation of criminology. However, as important as it is to develop theories to explain unique South African criminological phenomena, in part, Eurocentric theories may still form the basis of further theoretical developments. This generalisation should be guarded against as it may lead to absolutism. Researchers applying a Eurocentric approach will assess and evaluate other cultures by means of criteria with which the latter do not identify nor do they necessarily apply.

Agozino (2005) concentrates on some of the unique criminological perspectives emanating from West Africa. Within these approaches the concept of social control comes strongly to the fore and scientific research shows that, before contact with Europe, West Africa had sophisticated,

effective, and efficient social control systems. According to Agozino (2005) scientific reviews of the long-standing cultures of West Africa demonstrate that the sub-region's pre-colonial social controls worked well and were dynamic and effective. For this reason the West's imperialist intrusions and contaminations upon the indigenous West African criminology and social control systems were viewed as offensive.

As we move into the second decade of this millennium, criminologists are required to look towards an Afrocentric approach to crime. While Eurocentric theories have been applied in South African criminology in the past, too often we are confronted by the fact that social scientists cannot apply these paradigms to fully explain the crime phenomena in South Africa due to the different epistemological foundations of the two world views. The need for South African theories of crime and deviance are crucial for practitioners in the field of crime, criminology and criminal justice.

The Need for African Theories

Due to limited, if any, African models or theories of crime, the fields of philosophy and psychology are drawn upon and studied to seek a basis for the development of unique African theories, upon which African criminologists, and more specifically South African criminologists can make inferences regarding the causality of criminal behaviour. Due to the diverse and eclectic nature of South African society, criminological theories or models would require a multivariate analysis and application on a multitude of levels, allowing for a reflection of the many nuances of a diverse society.

African theories or paradigms should furthermore not merely be applied to explain crime and causality, but also to direct researchers and practitioners in explaining criminal behaviour for purposes of profiling, prediction of levels of danger and threat posed to society. It should also assist the judiciary and direct the court in an accountable and theoretical manner, to impose the most suitable sentences and to individualise punishment.

All too often practising criminologists in the field of criminological assessment and profiling are required to rely on European or American paradigms to form the basis of their findings and conclusions. While of merit, and often with creative manipulation of existing theory, the criminologist may still find it difficult to explain the causes of crime. This may be exacerbated by a limited understanding of African psychology where behaviour is influenced by the social context of group belonging rather than individualism, linked to a long history of conflict and violence which has become deeply embedded within society in one form or another.

Problems encountered

When developing African criminological theories, academics need to consider and avoid mistakes of generalisation and any attempts to explain and examine a phenomenon from a western perspective or "looking glass". An understanding of African epistemology should form the foundation for the interpretation of criminality in African societies. This African paradigm should provide for flexibility, allowing for development, and a flux of change influenced by time and the cultural setting within society. Accepted paradigms should be explored and build upon by social scientists. However, issues such as ethnicity, plurality of cultures and unanimism complicate the development of criminological explanations of crime. Cultural orientation, which further influences social dynamics should also be taken into consideration.

Issues of ethnicity within theory and application

An analyses of African theory requires cognition of ethnicity and ethics. Any attempt to develop discourse on ethnicity without aknowledging or ignoring these differences is unethical. Minow (Muir 2000) refers to "the dilemma of difference". This implies that if too much emphasis is placed on the differences between people or when society is insensitive to them, people may be stigmatised because they are different. This creates a dilemma in the development of "theories of difference" on Africa. From a criminological perspective, both theoretically and practically, it is important to accept the variances between people of different cultures in the treatment of offenders, rather than using the differences to stigmatise or place them at a disadvantage.

African culture has been in a transitional phase, shifting from traditional to modern, for many years. This has influenced individuals' identification with their own ethnicity. This transition should not be seen as an "improvement", a western misconception, but rather as an adaptation to the influences of western culture.

The research of Otu and Horton (2005: 81), however, discounts this argument regarding fluctuations in levels of ethnicity. Otu and Horton (2005: 81) postulate that every child born into a society acquires its traditions and norms, including ethnic behaviour. Ethnic beliefs are found to endure for generations even after the rational for the emergence of these beliefs may have faded or no longer exist. The doubt arises as to whether ethnicity is an independent variable. From the time a person is born, that individual responds to ethnic cues and beliefs mediated by role models that help shape his or her personal character structure. The individual

internalises experiences from earlier social positions and ethnic matrixes (Otu & Horton 2005:81).

Furthermore, the persistence of individual ethnic identification may be explained even if these people have frequent contact with other ethnic groups. Early experiences, personal history and observations of the way a society treats its own ethnic group may have engendered in them a natural awareness of their own ethnic origins. "Historic beliefs are far more persistent than current learning or teaching. Historical ethnocentrism certainly remains in the minds of some ethnic groups and is passed on from generation to generation" (Otu & Horton 2005: 81). The issue of ethnicity is further complicated by the plurality of cultures.

Plurality of cultures

Problems surrounding the development of African theories of crime lie in the plurality of cultures. This plurality is referred to by Louw (1995) as racial and ethnic variety as well as other overlapping affinity groups that constitute African and specifically South African society. Louw (1995) goes further to identify other categories, besides race or ethnicity, which further thwart any attempt to develop a theory for understanding and explaining crime in South African society. These categories include those of literate/illiterate, urbanised/non-urbanised, and perhaps even the somewhat controversial categories of pre-modern, modern, and post-modern. The latter should be the focus of academic debate and study as it in itself causes controversy in the study of African epistemology.

The fact is that there is not just one African society, but many African societies. Any claims or references to "African society" are generalisations, and are at most family resemblances between a plurality of predominantly traditional African societies. Societies or cultures cannot be viewed as monolithic, transparent and neatly demarcated wholes. Rather, they overlap in a variety of ways (Louw, 1995).

The problem of plurality is further exacerbated by the fact that social scientists may adopt a view of either absolutism or relativism.

Absolutism or relativism

Louw (1995) postulates that the plurality of cultures may cause researchers to resort to either absolutism or relativism in their assessment of other cultures. The absolutist will dogmatically and arbitrarily evaluate someone from another culture by means of criteria with which the latter does not necessarily identify.

Absolutism impedes the self-understanding of the other or others.

Louw (1995) attributes absolutism among members of a community, as a source of violence in society and believes that it is this characteristic that regularly facilitates political unrest and bloody conflicts. On the other hand, the relativist may attempt to transcend and avoid the latter mistake by adopting the view that surrenders the assessment of the other to "subjective arbitrariness". The relativist is of the opinion that there are no criteria in view of which the other might be judged non-arbitrarily or objectively.

Relativism deprives one of the right to criticise another group or culture in fear of being absolutist. The criminologist must find a scientific midway whereby an objective and empathetic evaluation of another person's "otherness" is possible using assessment tools that make provision for this "otherness" or uniqueness. This may be done by placing the offender within a framework which clearly provides and creates a setting for the characteristics of complexity, interconnectedness and mutual relationship. Winch (Hughes, 1998) postulates that two variables may either be called the same or different, only with reference to a set of criteria which lay down what is to be regarded as a relevant difference. "When the variables in question are purely physical the criteria will of course be those of the observer. But when one is dealing with intellectual or indeed, any kind of social aspects, that is not so. For their being intellectual or social in character depends entirely upon their belonging in a certain way to a system of ideas and modes of living" (Hughes, 1998: 127).

In African theory it is thus important to transcend criteria which may be set by the observer and to rather focus on belonging in a certain way to a system of ideas and modes of living. Winch (Hughes, 1998) explains this process as the rules of social interaction. These rules of social interaction are the shared actions of members of a specific language and culture. The concept of *ubuntu* can also be illustrated in terms of these rules of social interaction. Louw (1995) regards *ubuntu* as an African or African-inspired version of an effective decolonising assessment of the other. This assessment of the other also transcends absolutism without resorting to relativism.

Unanimism

While it is crucial to avoid an absolutist or relativist stance, another major point of concern is the danger of reifying, and converting or abstracting the stereotype of the African as simply less evolved (Basu 1998). This is known as unanimism. The term, popularised by Hountondji (in Basu, 1998: 1) illustrates the "strange and unwarranted assumption that all the inhabitants of the vast and varied continent of Africa can be supposed to resemble each other by any salient characteristic of thought or culture". This view impedes a greater understanding of the cultural variety found within the different tribes.

Salient characteristics such as the rules of social interaction or *ubuntu* which determine the functioning of the community will not be identified or understood.

When we try to develop African theories we must thus take Basu's concerns into account. Basu (1998) emphasises the dangers associated with the use of the term of **an** African culture or philosophy. Basu says that to do so is "shallow at best and may be tantamount to chicanery (deceit or deception). If we say that they are indeed deeply different in so significant a matter as their intellectual traits and world-views, are we not accepting as reality the worst kind of racist superstition?" With regard to African criminological theories one would thus have to avoid sweeping generalisations. The easy acceptance of differences may further serve as self-fulfilling prophecies – the Westerner expecting to find divination and witchcraft behind every crime in Africa will probably find precisely that.

Basu (1998) further supports the value of African philosopher's thoughts and critiques, and the importance of their perspectives. An African theory would thus not be a given blueprint, by which the African offender can be analysed and classified, but would rather provide a "distinctive, self justifying realm of discourse with its own logic and standards of rationality…" (Hughes 1990: 128). The latter discourse must thus form the basis of an "African theoretical approach".

Conclusion

Now that the main concepts that create a challenge to understanding African epistemology and philosophy have been identified, explanations of African criminality can be extrapolated.

Western and African perspectives or theories have different epistemological and ontological points of departure. It can be extrapolated that Western theories are scientific, analytical and reductionistic whereas the African approach is based upon subjective, direct experience. Western theories serve to analyse, predict and control human behaviour, while the African approach strives towards intuition and integration. Current criminological theories are based upon a Western perspective and explain the phenomenon of crime and criminality from a Western, first world perspective. This has a limiting effect on criminological research in South Africa.

If we acknowledge that culture may largely control the way in which we think or function, it is important to study the effect of culture and tradition on behaviour. To date very little attention has been paid to the development of African theories, and the lack of African based criminological perspectives is a serious drawback.

The value of developing and adopting African discourse has been considered by American academics for many years (Willis, Evans & LaGrange, 1999). Social scientists propose the exploration of theories and constructs from other indigenous societies to compare them to existing Western theories through means of analysis and integration. They focus on theories which have been developed within historical and sociocultural contexts which differ from those in America. The latter scientists studied South Africa, without including the rest of the African continent. They could not extract information for their study, probably due to a limited understanding of the African epistemology and personality.

The basis of African theories or paradigms should thus be established by examining and extrapolating upon existing theories, including philosophy.

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