

promulgated by Ugandan legislators and other educated elite. These self-professed modernists, supported by a wide cross-section of the non-Muslim population, view polygamy as backward and perceive its current protection under the law as a byproduct of the limiting, divisive colonial policy of indirect rule by which so-called 'natives' were governed by traditional authorities and customary law.

If there ever was a book written about Africa that offers prospects for hope on such a grim subject, then it is this one. The book resulted from the work of numerous authors who have ably assisted the editors, and whose expert views on the conflict in Africa are fresh, provide food for thought, and urge Africa to awake from slumber and seize her moment.

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**Praeg, Leonhard/Magadla, Siphokazi (eds), *Ubuntu: Curating the Archive*. Pietermaritzburg: University of KwaZulu-Natal Press 2014, 231 pp.**

Strictly speaking, it is not *necessary* for a state to have a foundational ideology; government can exist and function well enough without one. Still, a national ideology has certain advantages. It has the potential to join together the citizenry and create a sense of purpose and belonging; of a shared community that is more than just an arbitrary collection of people living within a set of lines on a map. It can also serve to restrict — in a beneficial way — the range of political choices available, delegitimising extremists and non-democrats and strengthening the moderate centre.

Thus the old USSR had Marxism-Leninism, the United States of America has Lockean liberalism, and even *apartheid* South Africa — bitterly divided and existing, for much of its history, in a state of low-grade civil war — had Afrikaner nationalism as the semi-official ideology of the elite. But what of the new South Africa? Perhaps the best candidate for an essentially "South African" ideology is *Ubuntu*: the idea that the welfare of individual human beings is inextricably bound to the welfare of the community. There have been times, especially during the

presidency of Thabo Mbeki, that the South African government has come close to promoting *Ubuntu* as an intrinsic part of the country's national identity.

But what does it really mean to say that the South African state is — or should be — guided by the principles of *Ubuntu*? This is the question posed by *Ubuntu: Curating the Archive*, an edited volume based on the 2012 Thinking Africa colloquium at Rhodes University. The volume includes the work of a diverse group of authors, who approach this issue from a variety of different perspectives and disciplines. The resulting dialogue is mostly constructive, sometimes cantankerous, but ultimately inconclusive — at times frustratingly so. However, if the goal of the editors was to start a conversation rather than to win an argument, then their efforts must be deemed a success — for there are many important insights gleaned along the way, especially for those who are interested in the way that states are legitimated through ideas.

The first problem that we encounter with *Ubuntu* is the difficulty of precisely defining it as a concept. If we want to understand, say, Marxism, we can simply read the works of Marx. But there are no such foundational texts for *Ubuntu*, because *Ubuntu* is first and foremost a "lived and living philosophy" (p 121) rather than a set of abstract ideas. Conceptually, *Ubuntu* is often expressed in the form of simplified aphorisms such as "a person is a person through other people". Taken literally, however, this could be used to justify a very broad variety of political associations: a conservative association based on male primogeniture; social democracy; a mixed-market capitalist system not unlike the one that currently exists in South Africa; or even Chinese-style "harmonious" dictatorship.

It is therefore unsurprising that much effort is made in the volume to create a narrower and more workable definition of *Ubuntu*. Unsurprising, too, is the fact many of the authors end up taking very different approaches. Praeg (p 96) locates *Ubuntu* within the framework of "the political economy of obligation", while Keevy (pp 62-64) defines *Ubuntu* largely in religious and supernaturalistic terms, as the social and political component of traditional African religious beliefs. Ramose (pp 124-129) provides the most detailed and practical definition of *Ubuntu* as a political programme, with implications for education, constitutionalism and political economy alike.

With regard to political economy, most of the authors are united in arguing that *Ubuntu*, properly understood, requires some variant of

socialism or social democracy. Shivji illustrates this point by drawing a parallel between *Ubuntu* and Julius Nyerere's socialist philosophy of *Ujaama* in Tanzania (a philosophy, he notes, that Tanzania quickly abandoned once Nyerere quit the political scene). Cornell (pp 170-171) argues for a "revolutionary Ubuntu" that she regards as being fundamentally incompatible with capitalism. Biney (p 45) argues that "African humanism" requires the rejection of market economics, and demands a sustained attack on mass poverty by means of a Venezuelan- or Bolivian-style welfare state. Most of the authors are quick to reject the idea of "Ubuntu capitalism". Too quick, perhaps — several of the definitions of Ubuntu offered in the text are at least plausibly compatible with "German-style" non-adversarial capitalism; it is a pity that none of the contributors explore this idea in greater detail.

The most fertile terrain on which the debate takes place, however, is that of law and social politics. Keevy (pp 70-77), in an early essay in the collection, argues that *Ubuntu* is incompatible with the values of the South African constitution. It is too conservative, too tainted by the patriarchal values of "traditional" society, too deeply implicated in the awful violence against women, gays and lesbians, "witches", and foreigners that is a constant undercurrent in South African society. The implication of Keevy's essay is that *Ubuntu's* particularistic focus on the family and the community is problematic, and needs to be replaced with the cosmopolitan and universalistic ethic of the constitution.

Many of the subsequent essays can be read as either implicit or explicit responses to Keevy's argument. For instance, Cornell (pp 167-174) argues forcefully in favour of incorporating *Ubuntu* into the South African constitution on the grounds that this would constitute a conscious rejection of racism. Meanwhile, Magadla and Chitando (pp 180-190) sharply criticise the same patriarchal abuses that Keevy decries, but argue that the humanistic ethic of *Ubuntu* is ultimately compatible with feminism. (They also note that feminism is more likely to succeed if it is framed as a revival of lost traditional values rather than a modernist attack on tradition itself. As a matter of political tactics, this is almost certainly correct.)

Furman (pp 150-165) engages with both sides of the dispute by examining the practical application of *Ubuntu* by South African judges. This helps to fill in some concrete detail about what it truly means to live in an "Ubuntu state". (According to the country's jurists, it apparently means forgoing the use of the death penalty, limiting the rights of

property owners to evict occupiers, prioritising scarce medical resources for patients that have a higher chance of survival, and restricting hate speech against minorities.) And yet, the evidence here turns out to be inconclusive, for there are very few cases where the invocation of *Ubuntu* has been decisive. In the majority of cases, Furman argues, judges have used *Ubuntu* mostly to illustrate or justify decisions that they have already made using more conventional legal reasoning.

This relationship between *Ubuntu* and constitutional law is also the focus of Ramose's essay, which is perhaps the most interesting piece in the collection. Unlike the majority of the other contributors (and the jurists quoted by Furman), he shares Keevy's view that a fundamental incompatibility exists between the South African constitution and the ethic of *Ubuntu*. But where Keevy argues for the replacement of traditional values with constitutional universalism, Ramose takes a diametrically opposed stance, arguing for the importance of *Ubuntu* and mounting an attack on the idea of constitutional supremacy itself. For Ramose, the constitution is too inflexible, and too protective of property rights. South Africa, he suggests, might be better served by a parliamentary system that was unrestrained by judicial checks and balances.

This argument is ultimately not persuasive; the dangers of unchecked political power having been illustrated too many times throughout history. But it serves to illustrate the bracing range of views that exists within this volume. In terms of its positive agenda, the collection of essays is limited; those who approach it looking for *Ubuntu*-flavoured proposals for economic and constitutional reform are likely to be disappointed. The volume succeeds in a different way, however: as an intriguing set of reflections on what it means to be South African.

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**Saul, John S/Bond, Patrick** *South Africa — The Present as History. From Mrs Ples to Mandela and Marikana.* Suffolk: James Curry and Johannesburg: Jacana Media. 2014, ix + 302 pp.

Two decades after the transition to the new democratic South Africa, John Saul and Patrick Bond have produced a book that reflects on this