

Full Length Research Paper

Moderate communitarianism is different: A Response to J. O. Famakinwa and B. Matolino

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Moderate communitarianism is a thesis introduced into African philosophical literature by the Akan philosopher Kwame Gyekye. He suggests that this thesis better accounts for the Akan and, to some extent, African social set-up than what he calls radical communitarianism (a thesis which he attributes especially to John Mbiti and Ifeanyi Menkiti). However, Gyekye is criticised by J. O. Famakinwa and B. Matolino for offering a concept which, in their estimation, is not different from radical communitarianism. In this paper, it is argued that the position of these two critics is not sustainable and that moderate communitarianism is significantly different from radical communitarianism.

Key words: moderate communitarianism; radical communitarianism; clash of rights, primacy thesis; personhood; relationally; Akan philosophy.

INTRODUCTION

Suppose a young man (in Akan or any African community) who is a member of the Seventh Day Adventist Church refuses to attend a 'communal labour' session (that is offering one's labour for a community owned project for free) on the basis that it falls on a Saturday and it is against his religious beliefs to work that day. Suppose also that the project in question is the construction of a school building for the community, yet the young man, through his lawyer, threatens to take the matter to the magistrate court should there be any attempts by the community to sanction him. His explanation is that his right to worship would be taken away by the community, although the latter also feels that the young man is part of the community and ought to ensure first that the community and its interests are respected. But one may ask: which of the two parties is

right? Whose interests and rights come first? Are their interests mutually exclusive? Who determines whose interest to protect? Questions such as these reveal how difficult it is to situate the individual within the community, and how best their rights and interests could be negotiated.

A good example of an attempt to address this difficulty is found in the philosophy of Kwame Gyekye who, among other things, discusses the question of rights in his thesis of moderate communitarianism. He distinguishes this thesis from radical communitarianism, and suggests that moderate communitarianism is a better presentation of African communitarianism than radical communitarianism which he ascribes to Menkiti and Mbiti. Gyekye argues that although the African society is communitarian, its influence on the individual is limited (unlike how Menkiti,

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especially, conceives of this influence); so, African communitarianism is moderate.

Critics, specifically Famakinwa and Matolino, have suggested that Gyekye's moderate communitarianism is not different from the radical version of communitarianism which he attempts to criticise. For, they claim, both versions treat the issue of individual rights the same way – that is, both versions recommend that communal duties be fulfilled even if they clash with individual rights. This recommendation is said to be the communitarian sense of the primacy thesis, a thesis which, according to Famakinwa, 'is the bone of contention between communitarians and their rivals such as liberals and libertarians' (Famakinwa 2010: p. 67 cites Sandel 1983: p. 1, Taylor 1992: p. 32 and Etzioni 1998: p.1). But I reject the position held by Famakinwa and Matolino¹. Secondly, in presenting some notions of a 'clash' between community and individual rights in Akan culture, I propose that the notion of a clash should properly be conceived at two levels – practical and metaphysical. By practical I mean within the complex context of practical life, and by metaphysical I mean in terms of the concept of rights as generally portrayed in the Akan value system. I advance that although there is indeed a clash at the former level, possibilities of a 'clash' (in the Akan context) are in some ways non-existent, superficial or unreal at the latter level. I argue that in addition to the former being insufficient for the equation of moderate communitarianism to radical communitarianism, the latter is an important feature of Akan culture and, thus, weakens the clash argument. This feature offers the core basis of communitarian thinking required for a deeper understanding of the Akan social set-up. I will adopt the method of critical analysis in my discussion of the views of Kwame Gyekye and his critics.

COMMUNITARIANISM AND PERSONHOOD

Communitarianism is 'the doctrine that the group (that is, the society) constitutes the focus of the activities of the individual members of the society' (Gyekye, 1995: p.155)². An individual, then, who treats other members of the community well and has the disposition to act in furtherance of the collective interest of the community, is described as a real person (*onipa pa* – in Akan). This member of the community has thus moved beyond being a simple individual to one who has achieved the status of personhood. Basically, acting morally is essential to the acquisition of the status of personhood (Gyekye, 1992: pp.109-110; Dzobo, 1992: pp.123-124)³ and a display of communitarian orientation.

There is the danger of misconstruing the foregoing to imply that personhood is achieved or determined on the basis of respect for communal good to the neglect of individual interest and that, such a determination is potentially troubling because it will ultimately favour the

community should there be a 'clash' between individual and community interests⁴. The idea behind this criticism being that communal orientation to issues in African thought belittles or neglects individual rights – including the right to pursue one's life goals or interest.

However, one reason why a communal orientation might be viewed favourably is that communal interests – in pursuit of which rights may be claimed; do not always exclude individual ones. Indeed, there are more areas of life where the two broadly tend to agree than they seemingly tend to disagree. For instance, both the Akan community and each of its members look for a peaceful society. Here, communal values are designed to ensure peace, by demanding from community members acts that foster peace. On the other hand, the individual, under normal circumstances, would not only prefer to be peaceful but also demand from the community some protection against, for instance, internal and external aggression. The same can be said about other mutually preferred issues such as an individual's right to marry, have children, keep her earnings, work, and freely express her thoughts. The question, however, is whether in ensuring or pursuing these, the individual and the community might choose different paths, and whether those paths might conflict. If it is assumed that such conflicts could occur, some might then suppose a possible clash of rights too and suggest that this will always lead to the subjugation of individual rights (in any communitarian framework). But this does not appear to be so in moderate communitarianism as suggested by Gyekye.

RADICAL AND MODERATE COMMUNITARIANISMS: GYEKYE AND HIS CRITICS

It is important to begin this discussion by re-stating the difference between the concepts of radical and moderate communitarianism even as some attention appears to have been given to them by some African philosophers and resulted in disagreements among same. For, like any philosophical problem, bringing finality to their interrogation is almost impossible. Two reasons could be adduced for this: (i) philosophers, being humans, are given to constant criticism and possible refinement of existing views, and (ii) such criticism should, as it continues to do now, generate philosophically significant challenges that must be addressed from time to time. Radical communitarianism, in the understanding of Gyekye, is the thesis that the African community is strictly communitarian and in which (a) 'personhood is fully defined by the community' (1997: p. 52) as Menkiti suggests with his view that it is the community which 'plays a crucial role in the individual's acquisition of personhood' (Menkiti 1984: p. 179), (b) there is no room for individuality and, thus, individual rights (Gyekye 1997: p. 52) as implied by Mbiti's observation that 'the

existence of the individual is the existence of the corporate' (Mbiti 1989: p. 141) and that the individual can only say 'I am because we are; and since we are, therefore I am' (Mbiti, 1989: p. 141; Gyekye, 1997: p.52).

On the other hand, moderate communitarianism (Gyekye, 1995: pp.154-162; 1997 chapter 2) is the idea that although the African society is communitarian in character, it accommodates individuality as well: to the extent that not only are the rights of the individual recognised but also she plays a crucial role in the definition of (her own) personhood. And that African communitarianism is not, thus, unrestricted. [A brief discussion of communitarianism and its relation to personal identity is also found in Gyekye (1992: pp. 101-122). He suggests that in the communitarian framework, the individual is aware of her existence and also has 'capacity of choice' – which is made possible by her 'rationality' or 'moral sense' or 'capacity for virtue' (1997: p. 53). Finally, restricted communitarianism does not entail the idea of complete moulding or subjection of the individual to communal will, but unrestricted communitarianism – as Gyekye attributes to Mbiti, Menkiti and Kenyatta (Gyekye 1997: pp. 36-37) – makes for the absolute shaping of the individual's will or character by the community. Both versions of communitarianism, however, endorse the primacy of the community⁵. This suggests that communitarianism is essentially a community-oriented concept.

In terms of the question of individual rights, Gyekye attempts to distinguish himself from those he describes as radicals by citing, among others, Menkiti's claim that in African thought 'rights, whatever these may be, are seen as secondary' because 'priority is given to the duties which individuals owe to the collectivity' (Menkiti, 1984: p.180; Gyekye, 1997: 62). He also refers to some Western communitarians such as M. Sandel who argues that since 'a spirit of generosity' is expected to be present in a communitarian society, 'rights would not be important' (Gyekye 1997: 62) and to McIntyre who holds that rights are unreal or 'fictitious'(Gyekye, 1997: 62). Gyekye seems to believe that these views are extreme because they imply that individual rights are always secondary or, worse still, non-existent in a communitarian framework. Moderation, then, comes in when there is recognition that the community does not completely mould the individual, that communal will does not always prevail, and that individual rights are not always secondary as Menkiti especially claims. Rights become secondary only when they clash with some communal values such as peace, harmony, stability, solidarity, and mutual reciprocities and sympathies (Gyekye, 1997: p. 65).

However, Menkiti's statement is understood differently by Matolino. He sees Menkiti as implying that the African society recognises, and does not deny, the importance of human rights except that they are secondary (Matolino, 2009: p.169). Matolino appears to think that if rights are

thus recognised, then they cannot be always secondary, but only sometimes. Closely related to this view is Famakinwa's position that radical communitarians and, indeed, all communitarians recognise individual rights or autonomy except that they do not regard this as 'ultimate value' (Famakinwa, 2010: pp.69-72). On the basis of these, largely, Matolino and Famakinwa have sought to claim that moderate communitarianism which Gyekye claims to recognise human rights is not different from radical communitarianism. Before I examine the positions of Matolino and Famakinwa, I need to point out the difficulty which one faces in knowing what Menkiti's actual position is since he does not explain in what sense are rights secondary – is it sometimes or always secondary? One is therefore left to understand him in either way; and these understandings, I must affirm, are both reasonable. But if it is granted that Matolino and Famakinwa's view is correct, then, indeed, Gyekye's claim that moderate communitarianism recognises rights but radical communitarianism does not – or rather does not do so adequately – would be inaccurate. But, would this mean that the two versions of communitarianism are the same? Matolino and Famakinwa's answer is 'yes' but, in the paragraphs below, I show why I disagree with them.

On Famakinwa's Critique

The element of individuality or individual rights espoused by Gyekye has been criticised by J.O. Famakinwa who, like Matolino, suggest that Gyekye neither fails to extricate himself well enough from the so-called unrestricted communitarian nor affirms the rights of the individual. Famakinwa seeks to address the issue of how moderate Gyekye's moderate communitarian thesis really is⁶. His paper is one of the few that interrogates different aspects of communitarianism in African thought. It also argues quite strongly that not much gap exists between moderate (or restricted) and unrestricted communitarianism. Nevertheless, there are a few actual and potential problems with some of the positions taken in his work. And, in order to clarify the concept of moderate communitarianism, these problems need now be addressed.

Famakinwa argues that moderate communitarianism is not different from radical communitarianism because Gyekye's claim to recognise rights is, unknown to Gyekye, shared by radical communitarians, and that when there is a moral clash of individual rights and communal responsibility, Gyekye and the radical communitarian would opt for the latter, thereby devaluing rights. In other words, both versions of communitarianism do not accept individual rights as 'ultimate value' (Famakinwa, 2010: p. 69) or as 'primary social value' (2010: p. 69). However, even if a communitarian thesis does not indeed accept individual rights as 'ultimate

value', it may still not cease to be moderate provided its recognition of the other tenets of moderate communitarianism outlined above is intact. The question of a moral clash of rights in the practical application of communitarianism is indeed philosophically interesting, just as the idea that on such an occasion moderate communitarianism and radical communitarianism do treat rights the same way. But this similarity of treatment is only true if Famakinwa and Matolino's interpretation of Menkiti's statement on individual rights is correct and Gyekye's incorrect. Strikingly, though, they do not show why Gyekye's interpretation is incorrect; they only assume it is. To sustain the discussion, I will, nonetheless, continue to hold that Famakinwa and Matolino's interpretation is as reasonable as Gyekye's (but criticise what they seek to do with their interpretation). In this wise, and given the broadness of the tenets of moderate communitarianism, Famakinwa's remark that 'Gyekye's communitarianism is not moderate' (2010: p. 69) because of Gyekye's failure to project individual rights (as 'ultimate value') is not correct'. It is, also, controversial to conclude that 'Gyekye is an unrestricted communitarian' (2010: p. 71), just because Famakinwa believes 'the unrestricted communitarianism of Charles Taylor, like the moderate communitarianism of Gyekye, recognizes the individual's capacity for autonomy' (2010: p. 72) and 'the unrestricted communitarianism of Sandel, Taylor, and Walzer recognizes rights' (2010: p. 72). While the question of 'rights' does not always make the distinction between moderate and unrestricted communitarianism easy, as Famakinwa observes, his insistence (on the basis of rights) that there is still a difference between the two (2010: p. 73) – which he fails to elaborate – complicates issues. If he had elaborated his claim, that would have shown adequately why he regarded Sandel and Taylor in particular as unrestricted communitarians. Gyekye interprets them to be radicals only in terms of how they deny the individual's ability to extricate herself from 'social roles' (but not in terms of rights); and he, most notably, admits that 'not all features of their position' can be labelled as radical (Gyekye, 1997: pp. 59-60). This is why determining unrestrictedness solely on the basis of rights or portraying Gyekye to deny the recognition of rights by these philosophers is problematic.

The error of considering the way rights and/or individual autonomy are handled as the key determinant of moderate communitarianism seems to underlie Famakinwa's statement that although Gyekye 'recognizes' rights, apparently individual rights, Gyekye cannot still be regarded as a moderate communitarian (2010: pp. 69-70). For, under one of Famakinwa's interpretations of 'recognition' – specifically, recognition as 'acceptance' – 'no communitarian', including the one who regards herself as a moderate, 'accepts individual rights as the ultimate value' (2010: p. 70). But as I indicated above, a communitarian does not become

moderate because she 'accepts individual rights as ultimate value'. I wonder if it is even the objective or claim of any communitarian to accept such rights – if by 'ultimate value' it is meant greatest worth or final arbiter of good and bad. Accordingly, Gyekye does not become unrestricted communitarian by the rejection of individual rights as the arbiter of all matters in the community. In terms of social set-up the thesis of moderate communitarianism proposes that the African social order will exhibit both individualistic and communalistic features, and neither strictly communal nor individualistic. Gyekye argues,

Even though there are proverbs and other evidences in the sources of the African tradition that model a communal conception of society, there indeed are other proverbs and evidences that can be interpreted as implying, not a radical or extreme, but a moderate kind of communalism (communitarianism), the model that acknowledges the intrinsic worth and dignity of the individual human person and recognizes individuality, individual responsibility, and individual initiative and effort. The recognition is most appropriate, for, after all, the naturally social human being has a will and an identity that must be exercised, if his or her individuality is to be fully expressed and actualized (Gyekye, 2004: pp.54-55).

However, there appears to be grounds for some other forms of discomfort (regarding the issue of autonomy) that could be felt by the critic – especially, the defender of moral individualism. This is largely brought about by the way Gyekye goes about his argument which, sometimes, seemingly portrays him to be abandoning his own communitarian leanings. For instance, in highlighting the individualistic elements in moderate communitarianism, Gyekye states that 'the capacity for self-assertion that the individual can exercise presupposes, and in fact derives from, the autonomous nature of the person' (Gyekye, 1997: p. 54). Gyekye gives the Greek meaning of autonomy as 'self-governing' or 'self-directing' (Gyekye, 1997: p. 54)⁸. However, purporting to tell 'the nature' of something is to attempt to state that which makes it what it is or that which is identifiable with it (always). And if autonomy is indeed 'the nature of the person', then, that should be consistent with both the Greek etymology provided by Gyekye and with moral individualism which proclaims that the individual is always or by definition autonomous. Indeed, Gyekye recognises 'the "natural" home of rights' to be 'individualistic moral and political framework' (1997: p. 61). But Gyekye is not a moral individualist. Why then, the moral individualist would ask, should Gyekye venture the use of these expressions – viz. autonomy, self-governing and self-directing – although what he has in mind is only that the individual is partially autonomous, partially self-governing or partially self-directing? For having 'the nature' of autonomy cannot be the same as having 'the nature' of partial autonomy. The human being, the moral individualist would thus argue, cannot be self-directing and at the same time be

directed by society – even if the latter’s activity is limited to moral direction. It is as if Gyekye is seeking to eat his cake and have it. Therefore, given this apparent association of Gyekye with autonomy and his belief in ‘the ontological primacy of the community’ (Gyekye, 1997: p. 47), it might be supposed that his position is systematically ambivalent between standard moral individualism and radical communitarianism.

But, the difficulty in accepting Gyekye’s approach to the question of autonomy wanes when one begins to understand the thrust or general direction of Gyekye’s argument, which in turn informs his (personal) definition of autonomy as found in the statement that: ‘By autonomy, I do not mean self-completeness but the having of a will, a rational will of one’s own, that enables one to determine at least some of one’s own goals and to pursue them, and to control one’s destiny’ (Gyekye, 1997: p. 54). And to show that this conception of autonomy leads to the emergence of a moderate (not extreme) communitarian individual, Gyekye observes: ‘In the light of the autonomous (or near-autonomous) character of its activities, the communitarian self cannot be held as a cramped or shackled self, responding robotically to the ways and demands of the communal structure’ (Gyekye, 1997: pp. 55-56). It seems to him, I think, it is possible for an individual who naturally seeks autonomy to be only able to exercise partial autonomy in the community.

On Matolino’s critique

Matolino (2009: p.164) sets two tasks for himself. First, to show that Gyekye does not succeed in pointing out any incoherencies in Menkiti’s account of personhood, and secondly, moderate communitarianism is not different from radical communitarianism in terms of their treatment of individual rights. But there are problems with the way Matolino executes the tasks. With regard to the first, Gyekye’s critique that tying morality (and personhood) to old age – as done by Menkiti – is an internally incoherent conception of personhood, is dismissed by Matolino with the single statement that Gyekye ‘does not show where the confusion or incoherence lies in Menkiti’s account’ (2009: p.164). This is in spite of Gyekye’s justification, previously quoted by Matolino, that ‘For, surely there are many elderly people who are known to be wicked, ungenerous, unsympathetic: whose lives, in short, generally do not reflect any moral maturity to excellence. In terms of a moral conception of personhood, such elderly people may not qualify as persons’ (Gyekye, 1997: p. 49; Matolino, 2009: p.164). Gyekye’s argument is that it is internally incoherent to be aware of the obvious truth that some elderly people are immoral and at the same time claim that old age guarantees morality (personhood) or that in elderly people we have morality. There is indeed some confusion since Menkiti’s argument

implies that the elderly are moral although Menkiti, Matolino and, indeed, no human being can deny that some of the elderly are immoral. Yet Matolino supports Menkiti’s position insisting also that ‘the process of becoming a person is amenable to the idea of gradual acquisition’ (2009: p.164). Matolino backs this up with the analogy of someone who gradually learns and acquires skills of motor mechanics and, after some years of training and practice, then becomes ‘a fully knowledgeable mechanic’ (2009: p.164). But this analogy is bad because it presumes that there is such a thing as a ‘fully knowledgeable mechanic’ although no mechanic, in my view, has full knowledge. Secondly, it presumes that humans can become fully or completely moral, but this is false. Thirdly, it suggests that the longest practising mechanic is the most knowledgeable, and that the oldest among us is the most moral. However, it is one thing to assert that moral competences are not acquired at once but another to tie them to old age since human experiences suggest that old age does not necessarily ensure moral maturity. Indeed, some younger people who get exposed to and deal well with complex moral questions would conceivably be morally competent than some elderly people or would, at least, be equal in moral capacity with some elderly people.

Matolino’s analogy is not also helped by his remark that this apparent trainee ‘may not do well in the course of her training or fail to apprehend certain basic knowledge or competencies about motor vehicles’ (2009: p.165). For, it only leads Matolino to conclude that ‘she has failed at being a full mechanic with all competencies expected of mechanics’ (2009: p.165). The expression ‘full mechanic’ is misleading because it suggests that she is a mechanic except that her knowledge is ‘incomplete’, although, I believe, she really cannot by any decent standards be called mechanic, neither can her knowledge ever be expected to be complete in the first place. The idea of ‘fullness’ in personhood makes more sense in terms of the observation of rites (aimed at incorporating the individual into society), since they are often performed at specific stages of a person’s life and it can fairly be told whether one has or has not performed any as one grows. The performance of rites is not in itself a moral issue, although it may sometimes be dependent on moral conduct. For instance, one might be required to observe certain moral rules before one qualifies to perform puberty rites. It is only natural that if rites have to be performed at different stages of human life, an individual who, by virtue of old age, has reached the final stages of her life would have observed some social rules (as in performing rites) to the full. However, there is a vast area of morality that is not necessarily related to rites, but to interpersonal relationships or moral conduct. In Akan thought, this is the context in which an individual is described as *onipa* (person) or *onipa pa* (good person), although a well-bred person is also expected to respect social rules as mentioned above. But personhood which

is dependent on good behaviour is not necessarily brought by old age as Matolino fails to realise⁹.

Secondly, after dismissing Gyekye's critique in the manner stated above, Matolino proposes in the next sentence that instead of dealing with the confusion or incoherence in Menkiti's argument, Gyekye should have rather 'claimed' that radical communitarianism was 'false for some reason or the other' because it is this sort of objection that he (Matolino) would regard as 'efficacious' (2009: p.164). But it is difficult to see how Matolino could suggest that incoherence (or conceptual or internal confusion) is less of a problem than the complete falsity of a claim. Indeed, dealing with the incoherence of a claim is as philosophically efficacious. If Gyekye's understanding of Menkiti's claim that elderly people are (more) 'moral' because they are the ones who have acquired moral competences is true – as Matolino confirms it is (2009: p.165) – then, it is a serious breach of logic to claim that all elderly people are (more) moral while some are not. The incoherence in this claim, unknown to Matolino, ultimately makes spurious the claim that all elderly people are (more) moral/persons. Yet the falsity of this claim does not presuppose the falsity of the whole thesis of radical communitarianism since this is only one of the claims of radical communitarianism – some of which are nonetheless true. Examples are the claims that the African society is communal but not liberal and that an individual may or may not become a person. It seems disingenuous then, for Matolino to set for Gyekye the task of proving that radical communitarianism is (completely) false. That which is false about radical communitarianism, in Gyekye's thinking, is the overstretched influence of the community which it grants over the individual; in other words, the radicality.

And, having convinced himself, although falsely, that moderate communitarianism has been successfully criticised, Matolino remarks: 'Gyekye attempts to show that moderate communitarianism is at least true of the Akans but immediately contradicts himself when he lays bare the essential beliefs of any form of communitarianism' (2009: p.164). But is Matolino suggesting that moderate communitarianism is not, but radical communitarianism is, true of the Akans? Or is he suggesting that it is contradictory for Gyekye to assert that moderate communitarianism is true of the Akans and admit that other versions of communitarianism exist? Is he also suggesting that if someone holds that there are various strands of communitarianism, that person cannot tease out beliefs which those communitarianisms have in common? None of these questions can be answered in the affirmative. While holding that moderate communitarianism best accounts for the Akan society, Gyekye does not argue that every claim made by radical communitarians is false. It is noteworthy that Matolino does not offer any arguments to show that moderate communitarianism is not true of the Akans. And if Gyekye acknowledges other versions of communitarianism, then

there is no contradiction in his laying bare the general or 'essential beliefs' of all or other communitarianisms. There is a contradiction only if Gyekye argues that radical communitarianism is not a communitarian thesis, while laying bare its essential (communitarian) beliefs. But he does not. He regards both the radical and the moderate as versions of communitarianism, and that the latter is more precise in the African context and true of the Akans. In other words, he attacks 'radicality' but affirms the communitarian outlook of the African society. Therefore, Gyekye can only imply that radical communitarianism is partially false.

Matolino rightfully shows how Tempels held the doctrine of radical communitarianism, and suggests that Mbiti and Menkiti followed in his steps (Matolino, 2009: pp.161-162). Then, to show why he (Matolino) thinks that radical communitarianism is authentic, he declares in opposition to Gyekye: 'It cannot be the case that Tempels is giving a completely false account of the Baluba' (2009: p.164). This statement is quite inapplicable to Gyekye because Gyekye does not suggest the complete falsity of radical communitarianism. He does not suggest that radical communitarianism, being a communitarian doctrine, has no element of truth. The expression 'completely false' is even misleading because it gives the wrong impression that Matolino himself believes that there could be some falsehood in radical communitarianism. But he refers to the support of some African philosophers to suggest that Tempels' account is entirely true: 'For if he were giving a false account Mbiti, a Kenyan, and Menkiti, a Nigerian (as well as all those who hold such a position such as Kagame – a Rwandan) would not have echoed his observations as an authentic representation of the African view of person in relation to the community or vice versa' (2009: p.164). Assuming, as Matolino claims, that radical communitarianism is indeed authentic just as moderate communitarianism and, thus, have 'the same status' (2009: p. 164) and also both are opposed (2009: p.164), then, the two cannot be the same. And to argue that one is more authentic than the other (as Gyekye has always held and Matolino later admits (2009: p.164) does not amount to suggesting that the less authentic is entirely false. No wonder that Matolino finally concedes that Gyekye does not 'explicitly suggest the radical account to be false' (2009: p.164). As discussed above, it would be impossible to prove the entire falsity of radical communitarianism, although it is possible to contest some of its claims. Again, if the two versions of communitarianism are opposed, as Matolino indicates, then it is surprising how he could seek (as an objective of his paper) to show that they were not different.

Besides, it is quite dangerous to advance that a conclusion is true only because some philosophers, irrespective of their number, hold it. A conclusion or position needs to be accepted on the basis of its own strength. But Matolino does not do this as he accepts

Tempels' position on the Baluba just because some African philosophers – Mbiti, Kagame, Menkiti – endorse it. Even if these philosophers were all participants of the Baluba culture, Matolino would still not have been absolved.

Matolino discusses the status of individuals who fail at becoming persons in an attempt to show that Gyekye's position is not different from Menkiti's. And that Gyekye does not succeed in 'advocating a distinct version of communitarianism' on that score (2009: p.166). He considers the following position of Gyekye's:

Now, the moral significance of denying personhood to a human being on the grounds that his actions are known to be dissonant with certain fundamental norms or that he fails to exhibit certain virtues in his behaviour is extremely interesting to communitarianism. Personhood, in this model of humanity, is not innate but is earned in the ethical arena: it is an individual's moral achievement that earns him the status of a person. Every individual is capable of becoming a person inasmuch as he is capable of doing good and should therefore be treated (potentially) as a morally responsible agent (Gyekye, 1997: pp. 51-52, quoted by Matolino, 2009: 166).

Matolino infers from the above quotation that while telling who a person is, Gyekye is only able to inform us that anyone who fails to become a person is merely an individual. Matolino then rebuts 'Although Menkiti does not say what happens to those who fail at morality and consequently personhood, there is nothing in his account of personhood that prevents him from also saying that there are individuals and persons. He can maintain the same distinction as Gyekye has made. On that score Gyekye's moderate communitarianism does not have a superior appeal to what he has called radical communitarianism' (2009: p.166). In my view, Gyekye neither claims 'distinctiveness' of moderate communitarianism in terms of the individualness of those who fail to become persons nor imply this as a basis for the superiority of moderate over radical communitarianism. In fact, the idea that not all humans become persons and the belief that an individual becomes a person on the basis of how she treats other humans (who consist of persons and those who are not [yet] persons) are true of both African communitarian doctrines in the first place. What is not explicitly stated by Menkiti is rather that the individual who alone is capable of becoming a person 'should be treated (potentially) as a morally responsible agent'. But the very fact that both versions of communitarianism claim to depend on interpersonal morality, among others, the treatment of all human beings as moral agents is at once a communitarian ideal. [I do not suggest that a non-communitarian doctrine will not treat humans as moral agents.] Accordingly, in the passage quoted by Matolino above, Gyekye makes it clear that he is discussing an issue which is 'extremely interesting for communitarianism' but not for moderate

communitarianism alone. It is therefore baffling why Matolino would want to impose 'distinctiveness' on Gyekye, while Gyekye makes no such claim. And, even as Matolino comes later to acknowledge in footnote 1 that Gyekye's usage of 'communitarianism' in the quotation could be general, he (Matolino) still does not change his position or modify his critique which is purely grounded on his self-generated idea of 'distinctness'.

In relation to the second task which Matolino sets out to execute in his paper, he seeks to show that moderate communitarianism and radical communitarianism are equal in their treatment of individual rights. According to Matolino, 'Gyekye believes that the moderate version is equipped to recognise individual rights' (2009: p.168). But it must be pointed out immediately that this statement is open to a number of interpretations; it could be right about Gyekye under some interpretations and wrong under some others. It could, for instance, mean that moderate communitarianism accepts that the individual may exercise her rights *all* the time or that moderate communitarianism, unlike some other doctrine – apparently, radical communitarianism – accepts or acknowledges that the individual has rights. Gyekye appears to hold the latter view. Matolino offers the criticism that Gyekye should have 'categorised' or 'mentioned' 'what rights individuals have' (2009: p.169) and, especially, categorised these in terms of their violability or otherwise – which is fair! Gyekye, I think, rather gives a broad framework within which rights are recognised – that is, when they do not clash with communal rights or interests. This is the import of an important view of Gyekye which is quoted by Matolino (2009: p.168):

With all this said, however, it must be granted that moderate communitarianism cannot be expected to be obsessed with rights. The reason, which is not far to seek, derives from the logic of the communitarian theory itself: it assumes a great concern for values, for the good of the wider society as such. The communitarian society, perhaps like any other type of human society, deeply cherishes the social values of peace, harmony, stability, solidarity, and mutual reciprocities and sympathies (1997: p. 65)

It would be a misrepresentation to suggest that Gyekye necessarily expresses this view as a show of contrast between moderate communitarianism and radical communitarianism. Like Menkiti (1984: 171, 172, 177), Gyekye also tries in his work to show how his thesis compares with other socio-political systems. Indeed, right from page 61 of *Tradition and Modernity*, Gyekye begins to discuss rights making direct references to 'individualistic moral and political framework' (roughly, liberalism) and communitarianism. And, having already denied radical communitarianism of the recognition of rights (whether or not Gyekye's view is correct), he tries to show the extent to which his thesis recognises rights and differs from others – especially the liberal system

where individual rights are seemingly held to be inviolable (even at a time of clash with communal ones). Liberalism thus appears obsessed with rights, unlike moderate communitarianism. But if indeed moderate communitarianism is not obsessed with rights, it does not follow that it should be obsessed with some other thing(s). So, it is not as 'fair' as Matolino thinks 'to inquire as to what Gyekye's moderate version will be obsessed with' (2009, p.168). Gyekye is neither obsessed with individual nor community rights, for he regards neither set as absolute. The simplest answer to Matolino's question will thus be 'nothing'! What the quotation actually implies is that an individual may exercise her rights (such as to pursue her dreams) but if doing so will, for instance, affect social peace, harmony and stability, then they will be curtailed. This is a typical scenario of when the idea of the moral supremacy of the community (Walzer 1983: p. 29) applies to the Akan community. But Matolino thinks that this is a 'contradiction in (Gyekye's) account' because he has claimed earlier that moderate communitarianism recognises rights. On the contrary, this will only result in a contradiction if Gyekye argues that moderate communitarianism would, at *all* times, recognise without fail individual rights – but he does not.

Another problem with Matolino's understanding of the quotation above is revealed in his comment that: 'Gyekye says [moderate communitarianism] will prize harmony, peace, stability and solidarity. If that is the case I suggest that there is no difference between the radical communitarian and Gyekye. They are both not obsessed with rights and they value harmony, peace, stability and solidarity. Gyekye's moderate communitarianism is on that score the same with [*sic*] radical communitarianism' (2009: p.168-169; square brackets added). Still within the same context of comparing the (moderate) communitarian society with other socio-political concepts or systems, Gyekye appears to hold that they all cherish such values as 'peace, harmony, stability, solidarity, and mutual reciprocities and sympathies'. The reason is that these are human values which every social or political system requires to function. This is exactly the reason for the expression 'perhaps like any other type of human society' (which Matolino overlooks). Indeed, the very sentence which Gyekye writes after the quotation above reads: 'For, in the absence of these and other related values, human society cannot satisfactorily function but will disintegrate and come to grief' (Gyekye, 1997: p.65). It is puzzling why Gyekye can then be made to claim that cherishing these same values is a distinctive feature of moderate communitarianism, and on that basis conclude that moderate communitarianism is 'the same with' radical communitarianism.

Matolino is entitled to his view that radical communitarianism, just like moderate communitarianism, is not obsessed with rights. But, given that he accuses Gyekye of not providing a list of rights recognised by moderate communitarianism (2009: p.169), one would

have thought that Matolino would implement his own recommendation by, first, showing how radical communitarianism recognises but is not obsessed with rights and, secondly, provide a list of rights which radical communitarianism recognises. Without this, Matolino does not sound convincing on his claim that Gyekye's assertion that moderate communitarianism recognises but is not obsessed with rights is true of radical communitarianism as well, even if I acknowledge that his belief that Menkiti recognises rights is reasonable.

A further case of Matolino's lack of commitment to evidence is revealed in the following paragraph: Gyekye does not also tell us what rights can be abridged and what rights are incorrigible. He refrains from categorizing or mentioning what rights individuals have and when those rights can be violated. Rights can be categorized in order of importance with some rights taking precedence over others. But it is one thing to say that rights need to be balanced with each other. But if they are all subject to being waived – then in what sense are these rights at all? It appears as if Gyekye does not take the notion of rights seriously (Matolino, 2009: p.169).

Right on the heels of criticising Gyekye in the first two sentences of this quotation for declaring that there are individual rights (without mentioning the specific rights) and that individual rights are abridgeable (without indicating which specific rights can be abridged), Matolino wants us to believe that 'some rights take precedence over others' although he fails to show in what sense a right becomes important than another and, most surprisingly, fails to mention any right at all to substantiate this claim.

Matolino's statement that 'some rights take precedence over others' initially gives the impression that he accepts Gyekye's view that rights are abridgeable, as in, at least, those that he (Matolino) would regard as less important. However, he does not help the debate very much with his silence on the specific ones that can and cannot be waived. For, that would have helped us to assess Gyekye's view, and determine whether it would indeed be reasonable to waive any of them should it threaten the social values listed by Gyekye above. It would have also helped to decide whether waiving that right under such a condition would necessarily amount to Gyekye's not taking that right seriously.

Finally, by Matolino's question 'But if [rights] are all subject to being waived – then in what sense are these rights at all' (2009: p.169; my square brackets), he also suggests, perhaps rightly, that Gyekye regards all rights as waivable (under certain conditions). But to advance such a view as Gyekye's is to make a huge claim that can and should be examined philosophically. A critic of this view would then need to reject it with an argument. But Matolino does not provide any arguments against this view. Further, by the question, it is not clear if Matolino implies that no right is waivable. If so, then that would be controversial indeed and, at the same time, likely to

conflict with his thinking that some rights are less important than others. But, ironically, that will serve him well in setting him apart from Gyekye. On the other hand, if in spite of the question asked, Matolino holds that only some, but not all, rights are waivable then he suffers the same problem as Gyekye's for lack of instantiations.

SOME OBSERVATIONS ON THE USAGE OF RIGHTS AND RESPONSIBILITIES

On the basis of the foregoing, I make some observations concerning Menkiti, Gyekye, Matolino and Famakinwa, although for the purposes of understanding I concentrate on Famakinwa. In the discussion of communitarianism in African thought, the issue of 'rights' is often raised in connection with the individual, as against communal interests or responsibilities. The unintended effect of this is that one is left to wonder if it would not be interesting to consider whether the community too may have rights. And if it has, why do the rights of the individual and those of the community not really form the basis of the discussion concerning the potential 'clash' between the individual and the community? Otherwise, rights become unduly individualistic. Although Famakinwa is not guilty of promoting (consciously) the restriction of 'rights' to the individual, his discussion appears to follow the general or usual pattern of restricting rights to the individual, as implied by his question 'Does Gyekye's recognition of rights really make him a moderate communitarian?' (Famakinwa, 2010: pp. 69-70) (By 'rights' he does not intend community rights). This is reinforced by his discussion of rights in terms of the individual throughout his essay, and never mentioning 'rights' (not even once) in connection with the society. Again, further down page 70, he begins to propose a conflict between the individual and the community, but the individual dimension is in terms of 'rights' while the community's is in terms of 'responsibilities'. But the individual and the community can each have rights and responsibilities – especially, toward each other. A right, it must be noted, is a legal or moral entitlement which a community (or even a government) may also possess. Although it is not entirely wrong to suggest that a community has interests and responsibilities, it may be acknowledged that in ensuring these, a community may claim rights – such as the right to survive, defend itself, protect its integrity, prevent self-destruction, promote peace, and ensure the common good. In Akan culture, the individual is brought up to see the community as morally entitled to these goods. There are also cases of African communities seeking to protect their rights in legal courts in Africa and in the West.

Discussing the conflict further, Famakinwa gives an example:

For example, the exercise of [individual] political rights does not always serve the common good ... As such, a

voter's personal judgement may run contrary to the general community good ... It is therefore clear that the reconciliatory approach with regard to individual rights and social responsibilities is not always successful ... Thus though Gyekye seems to have been attempting to narrow the gap between communitarianism and its traditional rivals (liberalism and libertarianism), his attempt is unsuccessful (2010: p. 70-71; my square brackets).

Famakinwa is right to state that an individual's exercising of her political rights may not serve the common good. However, I doubt whether Gyekye advances anything to the contrary. Another point is that the supposed conflict mentioned by Famakinwa tends to bolster the argument of a proponent of moderate communitarianism because of her proposition that only some individual preferences are helpful to the community and need to be supported. The question of Gyekye's 'success' is hardly an issue since moderate communitarianism, at least as Gyekye explains it, does not seek to incorporate or merge all individual interests or rights with communal ones.

By every indication, a moderate communitarian adopts a middle ground, and could argue for some rights of both the individual and the community. One reason for this is that she sees the community, consisting mainly of persons, as an extension of the individual person; and the individual as a microcosm of the community. Although she does not set out to pit individual against community rights or interests, the issue of apparent conflict between the two rights or interests is often raised. And, that in any such situation how are rights to be negotiated? As Gyekye indicates in response, between the individual and the community, the latter has the final say in Akan thought (1997: pp. 64-66). This is not to suggest that any claim of right made by the community should be or is really acceptable. For, as Kwasi Wiredu, another Akan philosopher, notes, some communal values or practices may lose their value over time (Wiredu, 1980: p. 1). As a result of this, some may remark that unbridled communal interests or rights are discouraged in Akan thought. While the preceding statement appears to be true of the Akan community, one wonders the factual relevance of it in the communitarian context. It is not as if any philosophers – communitarians, libertarians or liberals – argue for an 'unbridled' form of anything. It does not seem to me that 'unbridledness' could realistically be a subject of communitarian debate. I do not think that any libertarian or liberal who argues for freedom of choice or the individual's right to choose would suggest, for instance, that an individual should have the right to harm others as she chooses, neither would a communitarian argue that the community must have unrestrained access to the private lives of its members or kill them indiscriminately or restrict individual choice in the name of anything communal. Doing any of these would be bad indeed. There is always some unsaid limits to the claims made by

libertarians and liberals on one hand, and communitarians on the other. Therefore, the debate about whose rights must hold sway in case of a possible clash should not reduce to one of 'unbridledness'.

The notion of rights and the choice of the moderate communitarian, as criticised by Famakinwa and Matolino, have largely been examined from within the context of practice. Even so, the arguments advanced by these critics have been found to be inadequate for equating moderate communitarianism with radical communitarianism. The inadequacy will become more evident in the next section of this paper where the idea of a 'clash' is further analysed from an Akan perspective.

ON THE NOTION OF A 'CLASH' BETWEEN INDIVIDUAL AND COMMUNAL RIGHTS: THE AKAN CULTURAL PARADIGM

As Gyekye admits above, there could practically be a clash of rights in communitarianism. This can, for the sake of argumentation, occur when the community insists on its right to sacrifice an individual for some mystical protection of its existence, while the latter insists on her right to live. Another example is the community versus the Seventh Day Adventist Church member raised in the introduction. Against the backdrop of such clashes, it is often suggested that a communitarian thesis can only support the right of the community and, hence, the supremacy of the community or its dominance over the individual. While one would admit the possibility of the first example (though rare and inhuman), the second example however is quite easy to occur today. From Gyekye and Wiredu's views in the preceding section, one could expect the clash in the first example not to be resolved in favour of the community. But the second might. In spite of this, it cannot be maintained that the resolution of clashes in favour of the community would necessarily amount to dominance of the community over the individual.

To demonstrate this, I make a brief presentation of practices and beliefs entrenched in the social fabric of Akans, which, although not necessarily philosophical, will serve as a basis for understanding moderate communitarianism in the Akan context. What I seek to throw light on, nonetheless, is the question of the apparent clash which the Akan community may have with the individual (in terms of rights) – especially, those that appear to affect or relate to freedom of choice. Ultimately, I intend to show where a 'clash' (understood in a deeper sense and at the metaphysical or conceptual level) does not really seem to be so; and that the question of dominance does not arise. This may be explained in at least three ways:

(1) When an individual who is not affected directly by the consequence of her intended action has to choose

between acting in a way that promotes the interest of another individual and in a way that promotes the general good of the community. Faced with these two choices, the Akan would recommend that the latter be pursued. But this recommendation only appears to be as a result of the aggregate goodness which the latter would bring. In this sense, Akan communitarianism has some aggregative basis. This is in spite of the possibility that the person faced with the two choices may prefer to satisfy the specific wish or interest of the individual.

(2) When an individual has to choose between her direct interest and the collective interest of the community. In Akan culture, the individual in this situation is not usually compelled by the community (or by the authority of tradition) to neglect her personal interest. She is rather encouraged to accommodate communal interests. Yet, some individuals are able to set their personal interests aside or, in extreme cases, offer their lives for what they perceive as the communal good. For instance, Akans easily relate with pride the history of a royal named Tweneboah Kodua who, in the 17th century, offered himself to be killed by the Asante State for sacrifice to enable the State win a crucial war¹⁰. However, in terms of one's performance of perceived public duties, the case is slightly different. Unlike the scenario above, non-performance of some public duties on account of an individual's insistence on her right not to do so is met with opposition. Example is refusing to go to war when the individual is eligible to do so. But there are other public duties which an individual is permitted to decline. One may, for instance, refuse to take up the role of a chief even if tradition demands that one becomes a chief.

In short, in ensuring communal good in the event of an apparent clash between individual values or rights and communal ones, individual rights do not always suffer in Akan culture:

1) When an individual opposes a way recommended or adopted by the community for the promotion of the good of its members, but still has to follow the way because she was part of the decision-making process. In Akan culture, decisions that affect the community are reached largely on the basis of consensus. And, one strength of consensual decisions is that they provide for the expression of dissenting views so that the compromised decision – which an individual participant may totally disagree with – becomes binding on all. An individual, again, is not only granted freedom of thought, but is also allowed to express it at the communal level. But, anytime a decision superior to hers is reached and adopted by all, it would be seen as an attempt to thwart the progress of the community if she insists on side-stepping the agreed decision which she, to some extent, helped in reaching. Again, this would not just be considered inconsistent, but also insincere, or even unethical. This largely informs the opposition to the able-bodied adult who refuses a communal decision to go to war.

Given these three situations in which an action is portrayed as serving either an individual or communal good, there is the possible question of whether, indeed, there is a clash between individual and communal interests at all in Akan communitarianism? And, would there be a clash in the right of the two parties to pursue these interests? My answer is that there really is not. The idea of a 'clash' seems to suggest wrongly that an individual's interest and the community's are mutually exclusive. It is as if whenever a choice is made, then, either an individual loses for the community to gain, or the individual gains for the community to lose. But this is really not the case. When an individual prefers or feels it is her right to have A, although the community shall be best served by B for which right is also claimed, would the communitarian preference for B entail a moral loss for the individual? This is not necessarily the case with respect to an individual who is not only brought up to seek communal enhancement but also is someone who requires an enhancing community to maximally function in. Thus, seeking the good of the community is part of the rights, interests or goods of the Akan, just as her right to pursue A is¹¹. Stated differently, since the community consists of individuals, an individual's seeking of her interest might involve, at a higher remove, seeking the good of others or even sacrificing for them. The other members of the community might also do same for this individual. The community is, in this sense, composed of the individual, others who live in the geographical area with her, and their interaction with each other¹². To talk, then, of supremacy or domination of community over the individual would not only be to deny the possibility of the community to give up a course in the interest of the individual, but also propose a domination of the individual (who is a constituent of the community) over herself. This point is strengthened by Mogobe Ramose with his interpretation of the concept of Ubuntu in the wider context of African philosophy. The conception of the African community as if it is a given and dominant over the individual is, according to him, quite incorrect. Ramose conceives of Ubuntu as be-ing which must be understood in the 'ontological context of relationality'; and that

Out of this relationality in exchange with and through others, a community is born ... A community is not a given; it is a construction arising out of this relationality. Therefore, because it is a construction, it demands ethical principles – it demands Ubuntu (Ramose, 2014).

The community, in the African sense, could be said to be a moral entity which moral principles generate and in which individual moral wills and aspirations converge. The community and the individual are not necessarily the same, but they survive, progress or retrogress based on how they treat each other. In line with Ubuntu, Ramose suggests, 'we cannot speak of the dominance of the community of the individual' neither can we 'describe the Ubuntu perspective as individualistic because be-ing

brings about beings and beings must look at one another – and in that interaction something is born, that is, the community ...' (Ramose, 2014).

In some sense, therefore, the concept of human well-being is metaphysically tied to the well-being of the community. The metaphysic of God creating every human to flourish (potentially) in a human community is central to Akan communitarian philosophy. And, arguably, the most effective means of achieving this sort of community is 'relationality'. It is for this reason that when an individual relates ethically toward other individuals who, together with her, constitute the human community, the latter begin to regard her as a person. The individual and the community are thus meant to support each other, but not to oppose each other (as the notion of a clash of interests or rights is sometimes made to suggest). Metaphysically, therefore, the issue of a clash does not arise since the individual and the community would be keen to make choices that work well (as much as possible) for both of them. Each individual's metaphysical communal outlook endows her with this broad-base inclination. At the metaphysical level then, the domination of the individual's right or will by the community or vice versa is superficial, neither can a clash be real.

Furthermore, I have shown above that even in practical instances where the individual and the community seem to assert their rights in a conflicting way, it is not the case that the Akan (communitarian) society would always set individual rights aside. This is undoubtedly a strong point for moderate communitarianism. The notion of a clash also becomes an insufficient basis for the equation of moderate communitarianism with radical communitarianism because, first, its proponents do not take the metaphysical level which is devoid of a clash into account; and, secondly, moderate communitarianism entails much more than the few potential clashes in practical life. Therefore, the notion of a 'clash of rights' which seems to be central to the deliberations on social arrangements in liberal or neo-liberal perspectives, has a limited influence in Akan (and to some extent, African) socio-political thought.

RESULTS AND DISCUSSION

The discussion above indicates that there are varied interpretations of Menkiti and Mbiti's understanding of the concept of communitarianism; and, from the way these authors are interpreted, there has been divergence of views on what the right conception of African communitarianism is. While Gyekye regard these scholars as radical and exaggerating the influence of the community on the individual, Famakinwa and Matolino disagree. They see Gyekye as not being different from those he criticises, suggesting that no significant difference exists between them. I have rejected the

criticisms of Famakinwa and Matolino and argued that moderate communitarianism is not just about individual rights on which they base their argument.

Secondly, in African communitarianism, there is a link between morality and personhood. But this link is understood differently by Gyekye and Menkiti. Menkiti argues that the attainment of personhood is supposed to be gradual as one grows of age, but Gyekye denies this. He argues that there are no guarantees that the older one grows, the more moral one becomes. I find this an excellent rebuttal given that Menkiti's point is not true of all adults.

Thirdly, both Gyekye and his critics use the concept of autonomy as a criterion for determining the existence of individual rights in African communitarianism. Famakinwa and Matolino criticise Gyekye for suggesting that the individual is autonomous while upholding the ontological primacy of the community. They argue that commitment to the moral supremacy of the community cannot guarantee respect for individual rights. Upon a careful analysis, I discover that Gyekye really means to say that the individual has partial autonomy, while he remains faithful to the idea of the ontological primacy of the community.

Fourthly, the use of rights as the main dividing line between moderates and radicals: Menkiti and Mbiti's presentation of African communitarianism as denying individuality or individual rights is found by Gyekye to be extreme (radical). Consequently, he is able to propose and defend a moderate version of communitarianism which shows that in Akan communitarian thought individuality or individual rights are not always frowned upon. I discover that Famakinwa and Matolino do not provide solid evidence for their position that radical communitarianism also recognises individual rights.

Finally, the important question of whether in the occurrence of clashes in values in specific practical circumstances there should be supremacy of the prevailed value over the other at all times has been critically analysed. With the Akan cultural paradigm, it has been discovered that there are instances where in practical life an individual may want to promote a certain value (or interest) and the community another. Yet which choice ought to be made will depend on the situation at hand. This renders erroneous the idea of the absolute supremacy of either communal or individual will in Akan philosophy.

Conclusion

The rejection of the distinctness of moderate communitarianism by John Famakinwa and Bernard Matolino on the basis of the similarity with radical communitarianism in their treatment of individual rights, especially at the event of a clash between communal and individual rights, has been shown to be inadequate. I have shown that moderate communitarianism is broader

in constitution than the question of rights. I have pointed out that it cannot be expected to address other questions such as how the community should enhance the well-being of its citizens or ensure its survival, and how cultural values does and should influence the determination of the ontologies of both the individual and community. Additionally, I have established in this article how the notion of a clash does not work in the Akan metaphysical sense. The discussion of clash of rights is very often done by African philosophers, including Famakinwa and Matolino, from the perspective of practice. I draw attention to the presence and importance of the metaphysical aspect of the debate. And utilising some Akan metaphysical ideas on communitarianism, I show how nonexistent the notion of a clash is. This opens up the possibility of appreciating African communitarianism from an angle that is not just different but deeper and refreshing. Matolino offers some other reasons as well why the two versions of communitarianism are the same but they have also been denied in this article. For instance, I have rejected his reading that Gyekye claims to be moderate and different because he, but not Menkiti, acknowledges that in the African community there are individuals and persons. I have therefore argued in support of Gyekye's idea that there is moderate communitarianism, distinct from the radical version of communitarianism.

NOTES

- 1 Matolino gives a few other reasons for this position which I will question as well.
- 2 This, however, does not mean that the concept of communitarianism only applies to the African society. Amitai Etzioni's work *The Essential Communitarian Reader* is a testament to this fact.
- 3 Beside this, there is also the notion of the ontological identity of the human being among the Akan speaking people.
- 4 I discuss the question of clash of rights in the next section and beyond.
- 5 This point is in some sense acknowledged by Famakinwa. But it [the point] also makes Gyekye's (1997: 41) claim to give 'equal moral standing' to both the community and the individual very difficult to comprehend – and Famakinwa does have strong arguments against it.
- 6 Famakinwa's aper wholly deals with this problem.
- 7 If care is not taken, communitarianism (in African philosophy) would be made to look like a theory of administration of (clashed) rights – but it involves or has implications for many other things. It is a concept about how an African society is structured, how the individual is supposed to live, how the community should take care or enhance the well-being of its citizens, how the community should ensure its survival, how cultural values does or should influence the determination of the ontologies of both the individual and the community, which sorts of

individuals the community moulds or hopes to assist mould, how to ensure morality in politics, and also how individuals should relate with each other. All of these are philosophically interesting issues. Moderate communitarianism and radical communitarianism do not necessarily give the same prescriptions or generate the same answers for these issues; and it is quite insufficient to dwell on only clash of rights to equate the two versions of communitarianism even if they both opt for communal rights in terms of a clash.

8 This meaning appears to be as a result of the belief in the rational nature of the human being. Plato, for instance, awards rational properties to the soul (Majeed 2014: p. 2). This is similar to the Akan belief that all humans are rational and ought to know that which is intelligible and that which is not, that which is good and that which is bad (Majeed 2012: pp. 69-70).

9 I do not suggest that Gyekye was able to avoid all problems associated with the processual argument for personhood himself.

10 I admit that this case and many of its kind are unacceptable by the standards of human rights today. Tweneboah Koduah was a native of Kumawu in the Ashanti Region of Ghana.

11 This does not mean that anyone who does not seek community interest this way is not an Akan. I am here making a case for what Akan values recommend and what someone who cares about utilising those values will do.

12 To talk then, as I have until now done in this essay, about the relation between the individual and the community is to be understood in the usual sense in which discussions about clash of rights have often been carried out. In that sense, the relation is understood as one between any member of the community and the rest. In addition, one may also talk of a difference between the individual and the community, as I have also done, in the context of difference between any member of the community and the rest. I will therefore continue to write in terms of difference between the community and the individual only because the problems discussed in the rest of this essay are raised in that context.

CONFLICT OF INTERESTS

The authors have not declared any conflict of interests.

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