Kwame Gyekye's Critical Dialogue with Kant's Ethics and its Political Consequences

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We learn, also, that the eighteenth-century German philosopher Immanuel Kant (1724-1804) was only interested in the problems of his time and that he was a man of his time who examined and applied his philosophical thought with a view to its relevance.[2]

1. Introduction

Gyekye's theory of a moderate communitarianism, which recognizes the importance of individual rights,[3] is based on Kant. In his concept of the person, Gyekye, in Kant's tradition, presumes the individual's moral autonomy, freedom, free will and the ability to choose without underestimating the importance of community for the development of personality. Kant's theorems of human autonomy, freedom, and dignity constitute his concept of natural law and thus human rights, to which Gyekye refers in his reasoning. He introduces Kant's theorem of the autonomous subject into the philosophical debate on communitarianism. According to Gyekye, individual rights ought to be exercised based on responsibility for the community. Through visions, ideas, ideals, and practices that exceed established communal frameworks, individuals make decisive contributions to social changes and innovations. This allows for societal advancements at the different levels of communal life. According to Gyekye, the individual's critical faculties also prevent the abuse of power in all areas of society. Gyekye's political concepts of a 'meta-national' society and 'nation-building' are based on the autonomous character of the individual.

This paper critically examines the role of Gyekye's reception of Kant from an ethical and political perspective regarding his philosophical objectives. Does Gyekye succeed in developing a coherent theory of moderate communitarianism by referring to Kant? I will argue that Kant's theorems provide an important theoretical foundation to Gyekye's political theory.

2. Gyekye's moderate communitarianism and Kant's ethics

In his philosophical exploration of Kant Gyekye primarily focuses on his ethics.[4] Gyekye highlights the importance of moral autonomy in Kant's works, which establishes the dignity of human beings as rational beings and ends in themselves.

> Thus, the eighteenth-century German philosopher Kant, on the basis of the rational inquiries into human nature, grounds the notion of human dignity or intrinsic worth on human capacity for moral autonomy, that is, rational freedom. Thus conceived, argues Kant, the human person ought to be treated as an end in himself.[5]

In this context Gyekye quotes Kant's *Groundwork of the Metaphysic of Morals*:

> Now I say that man, and in general every rational being, *exists* as an end in himself, *not merely as means* for arbitrary use by this or that will: he must in all these actions, whether they are directed to himself or to other rational beings, always be viewed *at the same time as an end*.[6] (AA 04: 428)

He also cites the second wording of the categorical imperative: "*Act in such a way that you always treat humanity, in your own person or in the person of any other, never simply as a means but at the same time as an end.*"[7] (AA 04: 429) Kant's concepts of man as an 'end in itself', rationality, freedom and autonomy form the basis of Gyekye's philosophical reflections and justify his reasoning. Gyekye defines human autonomy as follows:

> The capacity for self-assertion that the individual can exercise presupposes, and in fact derives from, the autonomous nature of the person. 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. From its Greek etymology, 'autonomy' means, self-governing or self-directing. It is thus essentially the freedom of the person to choose his own goals and life plans in order to achieve some kind of self-realization. The actions and choice of goals of the individual emanate from his rational and moral will. Thus, the self-directing (or, self-determining) will also be self-assertive. Autonomy must be a fundamental feature of personhood, insofar as the realization of oneself-one's life plans, goals, and aspirations-greatly hinges on it, that is, on its exercise. Autonomy is, thus, valuable in itself.[8]

Unlike Kant, he does not link human autonomy to moral self-legislation and frees the concept from its exclusively moral connotation. However, Gyekye is not denying the the moral reference in general: "Even though the concept of autonomy cannot be said to be morally neutral, it can nevertheless be said to be only partly moral."[9] Gyekye continues: "I do not see

any conceptual link between autonomy and acting morally. There is, however, a conceptual link between autonomy and freedom, since a self-directing agent necessarily has the freedom to direct himself or herself."[10] He thus establishes a different focus from Kant, for whom moral self-legislation based on the categorical imperative forms the core of his concepts of autonomy and freedom. For Gyekye autonomy primarily entails the freedom to choose rationally.

In Kantian tradition, Gyekye recognizes the importance of rational reasoning on human nature to establish his theorem of human dignity and thus his conception of natural rights, which have moral implications. "Thus, a conception of human dignity – and moral or natural (human) rights that concomitantly flow from it – can be reached through a purely rational reflection on human nature."[11] This theorem of natural rights contrasts with the communitarian concept of individual rights as acquired. Gyekye claims to be able to combine both theorems as equally relevant and without contradiction. The debate on this topic has not yet been concluded. Ajei for example argues that Gyekye's theory requires "a viable philosophical basis for justification of a more balanced conception of human rights" compared to the liberal tradition because of its concept of acquired and earned personal rights based on fulfilled duties.[12] From my point of view, it is possible to locate both legal conceptions on different levels of application comparable to the combination of the generalized and concrete other in Benhabib's political philosophy.[13] It remains to be said, however, that Gyekye does not support this position thoroughly enough.

Gyekye establishes Kant's theorem of the autonomous subject in the context of communitarianism[14] and states: "But the moderate communitarian view suggests that the claims of individuality and community ought to be equally morally acknowledged."[15] He further remarks:

> On this showing, communitarianism's absorbing interest in the common good, in the provision for the social conditions that will enable each individual to function satisfactorily in a human society, cannot – should not – result in the willful subversion of individual rights. This is because, even though rights belong primarily to individuals, insofar as their exercise will often, directly or indirectly, be valuable to a larger society, their status and roles will nevertheless (have to) be recognized by communitarian theory. If communitarianism were to shrug off individual rights, not only would it show itself as an inconsistent moral and political theory, but also it would, in practical terms, saw off the branch on which it was sitting.[16]

Gyekye attributes practical relevance to individual rights embedded in a communitarian context.[17] With his 'equal moral standard thesis'[18] regarding the relationship of the individual and the community he wants to link 'human rights frameworks' with African communitarianism and its concept of acquired personality, communal normativity and persons' rights and duties. Kalumba (2020) defends Gyekye's theory against Matolino (2009), Famakinwa (2010), Metz (2012), and Oyowe (2013),[19] who question Gyekye's justification of his thesis proclaiming the equivalence of the individual and the community, because in their view he values the fulfilment of duties towards the community more than individual rights. To solve this problem Kalumba supplements Gyekye's theory with an 'equal ontological standard thesis' and a concept of justice.[20] I agree with Kalumbas' proposals. Thus, even though passages can be found that place a higher value on duties to the community than on individual rights,[21] it becomes obvious,

that Gyekye intends to empower personal rights in communities within a broader framework. Especially in larger communities, the rights of the individual are an important factor to limit political power.

Gyekye regards communal values such as solidarity, peace, harmony, and social stability as equally important and must be balanced with individual rights. Also, he believes they strengthen the concept of duty, also concerning duties to ourselves. In my view, Gyekye's emphasis on the greater importance of duties compared to rights is particularly relevant in personal relationships, which are based on moral responsiveness. Furthermore, human relationships can also be viewed from a legal perspective, so that both attitudes can be understood as equally important and relevant. Based on this argument, the so-called 'equal relevance thesis', I believe an 'equal ontology thesis' could be substantiated. Unfortunately, Gyekye has not justified this aspect thoroughly enough.

On the other hand, I consider Gyekyes' highlighting of duties to be an important addition to the idea of rights, which is becoming increasingly relevant in today's debate on human rights.[22] This is also reflected, for example, in Article 27 of the *African Charter of Human and People's Rights* (Banjul Charter) of 1981, which refers to the duties of the individual towards the family, society, state, other legally recognized communities and the world community. The preamble states on page 246: "Considering that the enjoyment of rights and freedoms also implies the performance of duties on the part of everyone".[23] Similarly, the consideration of peoples' rights is an innovation in the history of human rights concerning for example "the right to their economic, social and cultural development", "the right to a general satisfactory environment", "the right to free disposal of their wealth and natural resources with a view to strengthening African unity and solidarity."[24] Peoples' rights reconcile the concept of human rights with African communitarian thinking as well as with postcolonial and decolonial critiques of the colonial legacy.

According to Gyekye, individual rights are to be exercised based on responsibility towards the community. In Kant's case, this includes not only examining the generalizability of moral maxims, a formal process, that indirectly considers the relationality of the individual with others on the moral level, but also the distinction between the exercise of criticism as a private individual and as a scholar on the social and political level. Where the former is obliged to integrate into the existing community and to abide by the law, the latter can and should address the world public to enable a critical analysis of the observed grievances and thus also social change. Kant emphasizes the necessity of placing the individual in functional contexts to ensure the cohesion of society and prefers a reformatory path of social change. He is concerned with preserving the established legal structures and preventing that mankind reverts to the state of nature. In this context human morality is vital and a modified way of thinking is indispensable for the implementation of social and political innovations. For Gyekye, the criterion for disregarding individual rights is their significance beyond the personal domain. Gyekye states: "Individual rights, the exercise of which is meaningful only within the context of human society, must therefore be matched with social responsibilities."[25] It becomes apparent that Gyekye combines theorems of Kant's philosophy, in particular his practical philosophy,

with the basic communitarian assumptions of African philosophy. There is a similarity to communitarian theories of MacIntyre, Taylor, Sandel and Etzioni, which Gyekye analyses critically. He particularly criticizes the lacking significance of individual decision-making, a capacity to act and of individual law in their theories. This is precisely where Gyekye requires Kant's theorems to support his reasoning. For Gyekye, individual autonomy is both a potent factor of historical transformations as well as of creative innovations in various areas of society. The advocates of strict communitarianism do not do justice to the freedom of the individual and the associated social implications, both theoretically and practically.[26]

> It seems to me that moderate communitarianism offers a more appropriate and adequate account of the self and its relation to the community than the unrestricted or extreme or radical account, in that the former sees the self both as a communal being and as an autonomous, self-assertive being with a capacity for evaluation and choice, while the latter sees the activity of what I have referred to as the 'mental feature' of the person as *wholly* contingent upon, and determined by, the communal structure itself.[27]

The power of innovation of the individual, if necessary, in association with others, can take on reformative or revolutionary dimensions:

> "The ideals or visions of the individual can be subversive or demolitionary of existing societal values, practices, and institutions: what I called a revolutionary action can thus be understood generally as the activity of an idealistic or visionary individual (or a group of idealistic or visionary individuals)."[28]

According to Gyekye's interpretation, the Akan philosophy also attributes rationality, morality, and the ability to choose and to behave virtuously to the individual regardless of communal influences, using Akan proverbs as justification. "The community only discovers and nurtures it."[29] For him it is not only the community, as African philosophers such as Menkiti and Mbiti claim, that defines and shapes the individual. Mbiti assumes for example: "'*I am, because we are; and since we are, therefore I am.*'"[30] Gyekye characterizes moderate communitarianism as "[…] the model that acknowledges the intrinsic worth and dignity of the individual human person and recognizes individuality, individual responsibility and effort."[31] He wants to reconcile individuality and communality: "[N]o human society is absolutely communal or absolutely individualistic".[32] The individual experiences himself as limited by the community. Gyekye speaks of an "autonomous character of the person",[33] which does not imply that this disposition is always realized and has no limits. "Even so, it can be exercised to the extent that is possible."[34] Gyekye's conception of personhood combines the relational character of a person and the ontological primacy of the community with personal attributes belonging to "the human person *qua* person".[35] A person can acquire status, habits and character traits, but the subject *qua* person consists of rationality, a capacity for virtue and moral evaluative judgements. Community is necessary as a basis for realizing the possibilities of the individual. Gyekye combines the notion of acquisition of personhood with the conception of "the autonomous nature of the person" as rational and moral.[36] Gyekye states: "The upshot is that personhood can only be partly, never fully, defined by one's membership in the cultural

community."[37] He attributes autonomy, freedom, and a rational will to the person and thus the capacity to make fundamental contributions to social changes and improvements. "The growth of culture as well as modifications in the cultural heritage of a people is invariably due to the intellectual and moral activities of some autonomous individuals with their unique qualities and endowments."[38] Gyekye continues: "But, even so, the innovative activities of such an individual are intended to extend and enrich, rather than entirely break with, certain aspects of the community's history."[39] The individual's ability to innovate also enables the individual to shape his or her personal identity.

3. VISIONARY CRITIQUE, CULTURAL BORROWING AND GLOBALITY IN GYEKYE

Gyekye defines the function of philosophy in the sense of a critical project that refers initially to the analysis, assessment, and critical appreciation of one's own culture. For example, he states: "Throughout history, philosophy has been used to criticize features of a culture with a view to improving the cultures and making it more relevant to contemporary times. In this way, philosophy has been most relevant to the development of human cultures."[40] This also involves a process of adaptation to the respective time-specific social-historical phenomena. He goes on to say:

> It is to say, rather, that philosophical thinking, taking its rise from a cultural experience, takes a critical look at the practices and values of a culture. It makes a critical evaluation of the culture, an evaluation that may result either in affirming (while also refining) certain aspects of the culture's values and practices or in jettisoning aspects of the culture on various grounds: intellectual, moral, practical, and so on.[41]

As a starting point for African philosophy, he determines the investigation of African thinking, African traditions, and African history, e.g., in the form of proverbs, symbols and practices. The process of cultural borrowing[42] entails a critical examination of foreign cultures. In this context, Gyekye develops the theorem of appropriation, which includes an adaptation to the specific circumstances of native cultures and a review of usefulness. The adoption of cultural elements and technologies from Western countries for example requires an adaptation to African culture and vice versa. "In an ideal situation of cultural borrowing […] some alien cultural product (such as technology) is not simply transferred; it is taken possession of by another people who are convinced that appropriating the technology will enhance their own scientific and industrial advancement."[43] Gyekye criticizes the passiveness that is usually associated with the adoption of an element from a foreign culture. He calls for an active appropriation that assumes ownership and is equally a critical appropriation.[44] With his idea of cultural borrowing he tries to adopt Kant's thinking to African theories of personhood and communitarianism and reconciles different cultural frameworks to prevent the abuse of power by both the individual and society.

According to Gyekye, the critical philosophical project – based on critical hermeneutics – leads to a visionary role of philosophy. "A vision may, indirectly, derive from sustained critical attitudes to the culture (or some elements of it) that may result in a new, even revolutionary, outlook – philosophically, morally, ideologically, and so on."[45] The visionary role of philosophy proves to be a political task which, in addition to socio-cultural analysis, also provides goals and models of action. It brings about social transformation, which aims to improve the individual's life and the coexistence of people.

> The vision is inspired by the complex nature of the perceived in terms of adequate responses to the *entire* existential conditions in which human beings function, conditions that go beyond the purely economic and include political, social, moral, intellectual, and other aspects of the cultural whole. This vision presents a more serious conception of development.[46]

The visionary power of philosophy is associated with a speculative critique:

> I said a while ago that a part – a great part – of the philosophical enterprise is a critical speculation about human experience with its many-sidedness. The speculative activity of philosophy involves a synthetic interpretation of human experience: its meaning, its underlying reality, and what it points (or may point) to in terms of the most appropriate goals of human life and society.[47]

Gyekye defines visions in this context as follows: "A vision is clearly a *future-oriented* condition or attribute which is expected, sooner or later, to come into reality; but it may not come into reality, perhaps not in its fullness."[48] As an example he cites the democratic vision, the egalitarian vision and the vision of a just society.[49] Gyekye's visions operate as Kantian regulative ideas and political objectives, but – comparable to Kant's concepts of cosmopolitanism, the league of nations and eternal peace – are geared towards the normative and socio-political foundation of a society. Unlike Kant, however, Gyekye does not envisage a teleology that supports his ideas. At the same time, visions are combined with a goal orientation in the conceptual creation of the future and its associated practical implementation: "Now how is vision related to goal? In a sense vision and goal may be said to be conceptually related in that both are future-orientated phenomena; both of them are yet to be attained, objects of hope and desire."[50] While visions encompass long periods of time, goals focus more specifically on the existential and the specific. The visionary quality of philosophy is combined with the normative in the sense of a goal, which is supposed to provide a direction to human thinking, feeling, and acting. Gyekye notes in this context: "Such considerations become normative considerations, prescribing what *ought* to be the case, what *ought* to be attained. Thus, speculative activity will evaluate in normative proposals, which often embody a vision."[51] These visions paint a picture of the future human society, which is supported by philosophical views:

> [A] vision about the nature of an ideal society – its politics, values, and its culture generally. It was the vision about the dignity of the individual that led to the distinction by fifth century BC ancient Greek thinkers between nature (*phusis*) and convention (*nomos*), a distinction that subsequently gave rise to the notion of 'natural rights', which after the second world war became 'human rights' (see my *Tradition and Modernity*, 1997, p231f.) The awareness of nations regarding the fundamental importance of human rights was due mainly to the writings and arguments of philosophers.[52]

Starting from this philosophical vision, political legitimacy as a fundamental political concept can be defined by governmental protection of civil rights, social rights etc. based on the Universal Declaration of Human Rights in its various forms. According to Gyekye, the holistic view of the social dimensions of an era and the conception of the future are always connected with critique. Gyekye regards the legitimacy of exercising power and authority and the criticism of corruption in African countries as fundamental. Based on his hermeneutic and speculative critique, Gyekye develops a concept for shaping African states towards 'meta-national' societies. He combines this with a moderate communitarianism, in which individuality as a critical authority of freedom is supposed to act as a remedy for the overemphasis of the community and its potential negative trajectory. At this point, Gyekye refers decidedly to Kant's concept of the person, which is linked to the freedom and autonomy of the individual, and to the formula of the end in itself of his categorical imperative. Kant's theorems provide an important foundation for Gyekye's critical-negative and speculative-visionary critique.

In contrast to Kant's political vision of cosmopolitanism, Gyekye develops a concept of globalization that goes beyond the constraint of an economic understanding: "I will concern myself with the general nature of the concept of globalization. My intent will be to provide a philosophical background or foundation for globalization".[53] Globalization is not a new phenomenon, referring to Appiah he states: "[T]he history of the human species [can be seen] as a process of globalization."[54] In this process of spreading ideas, values, institutions, modes of action etc. in the different domains such as technology, ethics, economics and art, which are adapted to particular cultures and are increasingly shared with each other, ideas, values or institutions receive "the status of universality or globality (if you will) by virtue of its historic significance or relevance or functionality or power of conviction on some such quality."[55] Further he says: "At this point, that idea or value or practice would have become meta-contextual, for it would have transcended its original culture or historical context and would, thus, have gained the widest currency elsewhere."[56] Meta-contextuality can be seen as a form of cultural universality. For Gyekye, globalization is a process that is generally accompanied by conflicts and linked to struggles for hegemony, but also offers people the opportunity to become aware of their 'common humanity' and to connect different cultures.

This concept of an 'open field of universality' as 'transcultural', 'trans-epochal' and 'meta-contextual',[57] owed to our common human nature, contrasts with Kant's understanding of universality as grounded in the apriority of human reason, but, like Kant, assumes – albeit in an empirical sense – the relevance, necessity, and functionality of the universal. "Ideal globalization requires that nations or societies have the opportunity to choose which elements or features of an encountered culture they find attractive and consider worth adoption."[58] This concept of cultural universalism supports Gyekye's goal of a "homogenization of cultures" without underestimating the "particularities of local or national cultures".[59] Thereby he pursues a path of combining universalism and particularism in the cultural. For Gyekye, globalization represents a "good process" and "an originally good idea", which he associates with a desire for a better mutual understanding and coexistence of people and an increased coalescence of humanity. Gyekye thus lays the theoretical foundation for his concept of the 'meta-national' state, which is oriented towards overcoming ethical and national borders. It refers to the

Akan proverb "humanity has no boundary".[60] Like Kant, Gyekye's concept of man includes the political and moral objective of "cultivation of [...] humanity".[61] In contrast to Kant's cosmopolitanism, Gyekye's approach to globalization focuses in particular on rapprochement through cultural exchange and less on the legal-organizational and political constitution of republics and the desired confederation of states, although human rights and the concepts of 'participatory democracy' and 'multinational state' play a key role in his argumentation. Referring to Kant, he also emphasizes the role of the individual as a bearer of rights and as a critical authority – as a political corrective and antithesis to the communitarian understanding of politics, which stipulates the subordination of the individual. Both regard the cultivation and moralization of the individual as an important basis for political change towards more social freedom, stability, and peace.

4. Political consequences of Gyekye's ethics

The autonomous character of the individual is also basis for Gyekye's political concept of a 'meta-national'[62] society and 'nation-building'[63]. Gyekye regards the individual as the essential political point of reference, not so-called 'ethnicities', which he characterizes as fictional entities. In this context, Gyekye emphasizes the importance of cultural borrowing to establish a common ground between cultures and to enable the rapprochement and coalescence of societies. Gyekye aims to solve problems of multi-ethnic states, which cause internal and interstate tensions and conflicts both in the still relatively young states of Africa and in other parts of the world due to the increase in migration between cultures. On that basis, he criticizes the socialist concepts of political elites following the formal independence of African states, which incorrectly refer to the communal character of African cultures. His concept of the person combines individual autonomy with the relativity, interdependence, and mutual responsibility of individuals in a community. According to Gyekye, however, the community in its various forms must also be viewed critically:

> [...] but there are some relationships that can surely be said to be positively harmful to the individual's development and interests, relationships, for instance, that are built on slavery, domination, humiliation, or discrimination. The last category of social relationships represents the weaknesses and imperfections in the institution of community; but these relationships more truly reflect the defects in the human moral character.[64]

Gyekye associates the primacy of society over individual law with the danger of tyranny in the political sphere: "A strong and unrelenting insistence on the moral primacy or prerogative of the community can lead (and in postcolonial African has led) to tyranny, political intolerance, and authoritarianism."[65] Like Kant, he requires the autonomous individual, which is endowed with a free will, as a counterforce to undesirable social developments. As a proactive, creative and critical authority, the individual is of vital importance for progress in all domains of society such as science, art, culture, and politics. Like Kant, he regards the moral competence of the individual as important. Gyekye is particularly concerned with the

question of the legitimization of power and governance, which is achieved through the model of 'participatory democracy' and its inherent political consensus. In contrast to Kant, Gyekye does not offer a cosmopolitan concept, but that of the 'meta-national' state,[66] which can be regarded as a model for a confederation of states. Gyekye, however, does not pursue this idea in his theorem of globalization.

Gyekye distinguishes an essentialist and functional form of universalism, which he combines with particularism to guarantee the universal validity of philosophical knowledge based on African humanism. In his political theory, Gyekye emphasizes the need for decentralization and for the consideration of local structures at the national level of an individual state, while Kant focuses on the relationship of states to one another in a federation of states regulated by legal agreements. In Gyekye's work, the link between the local and the global is discussed at various levels, and he regards both dimensions as compatible. Gyekye ultimately proceeds from the assumption of a world community based on Kant, thereby combining the local and the global:

> The concept of a common humanity clearly lies at the base of references to 'the international community,' 'the world community,' 'the global community' frequently made by diplomats, politicians, and world leaders of different national or cultural communities. The reference and significance of the references to the highest level of human community suggest the understanding and conviction that all human beings, irrespective of their local communities, are *also* members of a single large human community.[67]

With his concept of moderate communitarianism, he also attempts to develop a moral concept for the world community: "This fact, at least in principle, clearly and insistently grounds the need to extend our moral concerns and responsibilities to members of 'other' communities—distant strangers. The communitarian ethic could be a vanguard in this respect."[68] Communitarian ethics can be described as an ethics of proximity, in which the responsibility of the individual towards the community is central. It differs fundamentally from Kant's deontological ethics, in which the fulfilment of duty is directed primarily towards the moral law, whereas in Gyekye's theory the term duty refers to the common good. Gyekye wants to extend the ethics of proximity to larger contexts: According to him, there should be a duty of responsibility towards all fellow human beings. It turns out that although Gyekye refers to Kant's ethics and the categorical imperative in the form of the self-purpose formula, he does not advocate Kantian ethics. The elements of Kant's philosophy support his argument for the empowerment of the individual in moral and political contexts within the framework of his own philosophical concept. In his emphasis on the responsible individual, Gyekye focuses on personal autonomy, freedom, and moral competence of the individual in the context of the community – locally as well as globally.

5. CONCLUSION

The African philosopher Kwame Gyekye critically examines Kant's concept of man and his universalism. The recourse to Kant is of vital importance to him in various regards. In

Gyekye's work, Kant's theorems support his concept of the person by defining the elements of autonomy, freedom and free will. At the same time, the role of the individual is outlined in the social context, e.g., as an innovative force in cultural and socio-political terms. This concept of the person is the basis of Gyekye's theory of moderate communitarianism, which is at the center of his philosophy and the starting point for moral, cultural, and political considerations. Referring to Kant, Gyekye characterizes the individual as a bearer of rights, and thereby establishes the basis for human rights. It emerges from my analysis that Gyekye does not adequately clarify the contradictions that arise from the combination of Kant's theorems with African communitarianism. The political implications of this theory are still far-reaching as Gyekye derives from this the legitimacy of power, the rights-bearing individual as a critical political force and his concept of the 'meta-national' society, which is constituted by the individual. Gyekye's political concept emphasizes the responsibility and political participation of the individual and the relationship between morality and politics, thus attempting to counteract abuse of power, corruption, despotism, and tyranny to create global freedom and peace based on philosophical visions. It turns out that Kant's theorems play an important role in the philosophy of Gyekye as a form of cultural borrowing in an intercultural dialogue that places Kant's ideas in an African communitarian framework and transforms them decisively in a process of appropriation, offering a moral and political vision not only for Africa but for the world.

Abstract: In his philosophical exploration of Kants philosophy Gyekye focuses on his ethics. His theory of a moderate communitarianism, which recognizes the importance of individual rights, is based on Kant. In his concept of the person, Gyekye, in Kant's tradition, presumes the individual's moral autonomy, freedom, free will and the ability to choose without underestimating the importance of community for the development of personality. Kant's theorems of human autonomy, freedom and dignity constitute his concept of natural law and thus human rights, to which Gyekye refers in his reasoning. Gyekye introduces Kant's theorem of the autonomous subject into the philosophical debate on communitarianism. According to Gyekye, individual rights ought to be exercised based on responsibility for the community. Gyekye associates the primacy of society over individual law with the danger of tyranny in the political sphere. Through visions, ideas, ideals, and practices that exceed established communal frameworks, individuals make a decisive contribution to social changes and innovations. This allows for societal advancements at the different levels of communal life. The autonomous character of the individual is also basis for Gyekye's political concept of a 'meta-national'[69] society and 'nation-building'.[70] Gyekye regards the individual as the essential political point of reference, not so-called 'ethnicities', which he characterizes as fictional entities. Gyekye aims to solve problems of multi-ethnic states, which cause internal and interstate tensions and conflicts both in the still relatively young states of Africa and in other parts of the world due to the increase in migration between cultures. It turns out that Kant's theorems play an important role in the philosophy of Gyekye as a form of cultural borrowing in an intercultural dialogue that places Kant's ideas in an African communitarian framework and transforms them decisively in a process of appropriation, offering a moral and political vision not only for Africa but for the world.

Keywords: Gyekye, Kant, moderate communitarianism, autonomy, free will, 'meta-national' society, globalization, cultural borrowing

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Notes

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Fernando M. F.; Marques, Ubirajara Rancan de Azevedo (eds.): *arte & filosofia*. Lisboa: Centro de Filosofia da Universidade de Lisboa, 2019, pp. 191-211.

[2] In: Gyekye, Kwame, *Philosophy, Culture, And Vision: African Perspectives*. Accra: Sub-Saharan Publishers, 2013, p. XIV.

[3] Gyekye describes his theory as both consistent and practical: "It can be said, however, that restricted or moderate communitarianism is a consistent and viable theory, one that is not opposed to individual rights, even though it will consciously and purposively give equal attention to other values of the community, all (or some) of which it may occasionally regard as overriding. I hope, the falsity of the view that moderate communitarianism will have no or very little place for individual rights." In: Gyekye, Kwame, *Tradition and Modernity: Philosophical Reflections on the African Experience*. New York, Oxford: Oxford University Press, 1997, pp. 64-65.

[4] Gyekye also refers to Kant regarding the importance of religion for human life and thus also for the engagement with religious questions in philosophy. "But Kant, the great German philosopher, was also a very religious person; he was a believer; he was a Christian. I don't think Kant would argue the banishment of religion from public life." (Gyekye 2013: 73)

[5] Gyekye 1997: 63-64.

[6] Gyekye 1997: 64. Gyekye quotes Kant, Immanuel, *Groundwork of the Metaphysic of Morals*. London: Hutchinson University Library, 1965, p. 95. References to the Academy Edition of Kant's works use the abbreviation "AA," followed by a first number indicating the volume and a second number, or set of numbers, specifying the pagination of the edition. These references are also used in the Cambridge Edition.

[7] Ibid. Gyekye quotes Kant 1965: 95. The Cambridge Edition translates this passage as follows: "*So act that you use humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means.*" (AA 04: 429) In: Kant, Immanuel, *The Cambridge Edition of the Works of Immanuel Kant: Practical Philosophy*. Gregor, Mary J. (ed.). Cambridge et al.: Cambridge University Press, 1996.

[8] Gyekye 1997: 54.

[9] Gyekye 1997: 55.

[10] Ibid.

[11] Gyekye 1997: 64.

[12] Cf. Ajei, Martin, "Human rights in a moderate communitarian political framework". In: *South African Journal of Philosophy*. 2015, 34(4), p. 491; see also p. 499.

[13] Cf. Benhabib, Seyla, "The Generalized and Concrete Other". In: Benhabib, Seyla: *Situating the Self*. Cambridge: Polity Press, 1992, pp. 148-177.

[14] "For, implicit in the communitarianism's recognition of the dual features of the self – the self as an autonomous, assertive entity capable of evaluation and choice and as a communal being – is a commitment to the acknowledgment of the intrinsic worth of the self and the moral rights that can be said necessarily to be due to it. The recognition by communitarian political morality of individual rights is thus a conceptual requirement." (Gyekye 1997: 64) He continues: "In other words, the derivation of individual rights from naturalism (humanism) or supernaturalism cannot be confined to an individualistic framework; the derivation is not an activity or a characteristic or a possibility solely of an individualistic moral and social ambience." (Ibid.)

[15] Gyekye 1997: 66. And: "Communitarianism requires a great demonstration of moral sensitivity and expenditure of moral effort by the individual." (Ibid.)

[16] Ibid.

[17] "It is also a practical requirement at the practical level communitarianism would realize that allowing free rein for the exercise of individual rights, which obviously includes the exercise of the unique qualities, talents, and dispositions of the individual, will enhance the cultural development and success of the community." (Gyekye 1997: 64)

[18] Cf. Kalumba, Kibujjo M., „A Defense of Kwame Gyekyes's Moderate Communitarianism". In: *Philosophical Papers*. Vol. 49, No. 1, March 2020, pp. 137-158. He defends Gyekye's theory against Matolino, Famakinwa, Metz, and Oyowe.

[19] Cf. Famakinwa, J. Olanipekun, "How Moderate is Kwame Gyekye's Moderate Communitarianism?" In: *Thought and Practice: A Journal of the Philosophical Association of Kenya (PAK)*. New Series, Vol. 2:1, 2010, pp. 65-77; Matolino, Bernard, "Radicals Versus Moderates: A Critique of Gyekye's Moderate Communitarianism". In: *South African Journal of Philosophy*. Vol. 28:2, 2009, pp. 160-170; Metz, Thaddeus, "Developing African Political Philosophy: Moral-Theoretic Strategies". In: *Philosophia Africana*. Vol. 14:1, 2012, pp. 61-83 and Oyowe, Oritsegbubemi Anthony, "Individual and Community in Contemporary African Moral-Political Philosophy". In: *Philosophia Africana*. Vol. 15:2, 2013, pp. 117-136.

[20] Cf. Kalumba 2020: 157.

21 For example, Gyekye states: „[M]orality must be weighted on duties, which should trump rights". (Gyekye 2013: XXIV) Statements like these justify doubts about the credibility of Gyekye's thesis of the equivalence of rights and duties, as they tend to imply a primacy of the community.

22 Cf. for example Assmann, Aleida, *Menschenrechte und Menschenpflichten: Schlüsselbegriffe für eine humane Gesellschaft*. Vienna: Picus, 2018.

23 Cf. *African Charter on Human and People's Rights*. Concluded at Nairobi on 27 June 1981. Online: https://treaties.un.org/doc/Publication/UNTS/Volume%201520/volume-1520-I-26363-English.pdf, last accessed on 13th September 2021.

24 Gyekye 1997: 65.

25 Cf. Gyekye 1997: 59. Gyekye says: "Individual rights to expressions that are of a strictly private nature may not be disallowed, unless there is overwhelming evidence that such expressions can, or do, affect other innocent members of the society." (Gyekye 1997: 65) He continues: "The possession of rights becomes nearly inconsequential if a viable framework for their meaningful exercise does not exist." (Ibid.) And: "To the extent that the meaningful and continuous enjoyment of one's rights is a function of the appropriate conditions of a social context, an overwhelming concern for the viability of that context is surely legitimate." (Gyekye 1997: 66)

26 Gyekye emphasizes: "[…] even though I believe that not all features of their position can be so characterized". (Gyekye 1997: 60)

27 Gyekye 1997: 59. Gyekye continues: "Extreme or unrestricted communitarianism fails to give adequate recognition to the creativity, inventiveness, imagination, and idealistic proclivities of some human individuals in matters relating to the production of ideas and the experience of visions. The powers of inventiveness, imagination, and so on are not entirely a function of natural talents or endowments, even though they can only be nurtured and exercised in a cultural community." (Ibid.)

28 Gyekye 1997: 56.

29 Gyekye 1997: 53. And further: "There is no denying the community's role in the complex process involved in the individual's realization of her goals and aspirations, though; yet, even so, the communal definition or constitution can only be partial." (Ibid.)

30 Gyekye 1997: 37. Gyekye cites Mbiti.

31 Gyekye 1997: 40.

32 Gyekye 1997: 41.

33 Gyekye 1997: 57.

34 Ibid.

35 Gyekye, Kwame, "Person and community in African thought". In: Coetzee, Peter Hendrik; Roux, A.P.J. (eds.): *The African Philosophy Reader*. New York, London: Routledge, 22003, p. 301.

36 Gyekye 22003: 306.

37 Gyekye 1997: 59.

38 Gyekye 1997: 58.

39 Ibid.

40 Gyekye 2013: XVI.

41 Gyekye 2013: XIX. He also says: "Even though philosophical thought is worked out within a culture, yet it turns [sic] round to take critical look at the culture itself. Throughout history, philosophy has been used to criticize features of a culture with a view to improving the culture and making it more relevant to contemporary times. In this way, philosophy has been most relevant to the development of human cultures." (Gyekye 2013: XVI)

42 Cf. Gyekye 1997: 226, 284, 296.

43 Gyekye 2013: XXI.

44 "The vision articulated here regarding the acquisition and development of technology in a developing society that is interested in foreign technological products for its own advancement is that of *appropriation* of technology – an approach that would necessarily feature active, adroit, and purposeful initiative and participation on the part of the recipients, an approach that would also allow for purposeful choice of the technological products needed by them. (Ibid.)

45 Gyekye 2013: XIX.

[46] Gyekye 2013: XX.

[47] Gyekye 2013: XVII.

[48] Ibid.

[49] Cf. Gyekye says: "Thus, the political leaders of a nation may entertain a 'democratic vision'; some social reformers, intellectuals and moralists may nurture an 'egalitarian vision', a vision of 'a poverty-free society', and a vision of 'a just society'." (Ibid.)

[50] Gyekye 2013: XVII-III.

[51] Gyekye 2013: XVII.

[52] Gyekye 2013: XVI.

[53] Gyekye 2013: 118.

[54] Gyekye 2013: 119.

[55] Gyekye 2013: 124.

[56] Ibid.

[57] Gyekye 2013: XVI

[58] Gyekye 2013: 129.

[59] Cf. Gyekye 2013: 131.

[60] Cf. Gyekye 2013: 132.

[61] Gyekye 2013: 136.

[62] Cf. Gyekye 1997: 88, 89, 95, 96, 101, 103, 287.

[63] Cf. Gyekye 1997: 82.

[64] Gyekye 1997: 42. And further: "But there is more to community than social relationships. Sharing, as I said, an overall way of life is most essential and basic to any conception of a community." (Gyekye 1997: 43)

[65] Gyekye 1997: 76.

[66] Gyekye explores possibilities for societal integration and the creation of a sense of community, considerations that could also be used globally to solve the problems of coexistence of different ethnicities, races, cultures and religions.

[67] Gyekye 1997: 74.

[68] Ibid. Kant implicitly includes this problem in his formally oriented universalism of the generalizability of personal maxims in moral action and in the formula of the *end in itself* of the categorical imperative.

[69] Cf. Gyekye 1997: 88, 89, 95, 96, 101, 103, 287.

[70] Cf. Gyekye 1997: 82.