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PHILOSOPHICAL REFLECTIONS ON SOCIAL
JUSTICE AND SOCIAL ORDER IN POST-
COLONIAL AFRICA*

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Abstract: Many countries in Africa continually face the problem of creating societies where justice will be a reality for all, most especially the teeming vulnerable and marginal peoples of the continent. Currently, the situation has deteriorated into spectral and “pervasive corruption, ineptness, authoritarianism, cavalier abuse of human rights, proclivity towards tribalistic exclusiveness” (Samatar and Samatar 2002:4) which have ensured the erosion of justice and security, and also vitiated the establishment of authentic social institutions for justice. The problem as we understand it is that the endemic susceptibility of African social and political life to injustices and perversions, is due to the absence of a proper idea of justice that can underwrite the internal consistency and wider social political consequences of the institutional developmental processes in much of Africa. Evidently, there is a compelling need to disengage from the hitherto existing idea of justice in Africa that currently, “is often a function of who you know or how much you can pay” (Harrison 2000:300). Thus, we must seek a more systematic and holistic way of creating and institutionalizing the principles and values that can ensure enduring and viable social justice that can in turn positively affect the redirection of African social order and development towards security, morality, peace and well-being.

Keywords: Social justice; social order; post-colonial Africa.

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Introduction and Problem

As things stand, there is a spectral deficit in the postulation of a modern idea of social justice that can defend or enhance the imperative of a social political development for many societies of Africa. This fact is significant, because most African social orders are defeated by a dual tragedy of the inapplicability of their indigenous ideas of justice to modern social challenges and the pursuit of development in Africa. In the post-colonial setting, the rule of justice is obstructed by negative ethnicity, corruption, disobedience to law and order, disdain for the rule of law and accountability and the disregard for the value of human life and the common good.

The problem of creating African societies where justice will be a reality for all, especially the vulnerable and marginal peoples, is currently a priority concern when, seen in the context of the deterioration of many African societies into spectral and “pervasive corruption, ineptness, authoritarianism, cavalier abuse of human rights, proclivity towards tribalistic exclusiveness” (Samatar and Samatar 2002:4). Such tendencies have ensured the erosion of justice and security, and also vitiated the establishment of an authentic philosophy of development. This crisis is explained by the fact that even in recent times, most African societies have failed to overcome the fundamental injustice arising from their primordial and colonial natures. The fact is that “the contemporary African state is an instrument of colonialism, that, when abandoned by its creators, was picked up with gusto by the new political elites” (Pham 2005: 41-42). For some writers, the crisis of justice in the modern African states predates the colonial heritage. The question then is: how did Africans get to this stage in the problems bedeviling them? This is historical question that draws attention to the interplay of cultural choices and phenomenological possibilities. Only a sustained and systematic analysis of the justice component and its linkages to the foundational but wider social experiences can shed light on this problematic.

In looking at the African conceptions of justice, we must not fail to remember that “at certain stages of material civilisation, our choice of a distributive principle depends on the consideration given to social values other than justice” (Eshete 1975:38). This means that the issue of justice must be seen against the back-drop of wider social realities. In insisting on the question of social values there is a concern for the intricacies of the cultural operations that underlie social principles and the institutions that are meant to carry them through. With special reference to justice, we are interested in discovering the consistency, viability and approbation derivable from the notions of justice embedded in African cosmologies. In a way, a good point of entry into our study is to assume that “justice is satisfied if each person can recognize that