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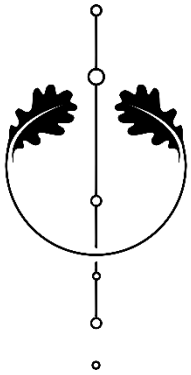

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Foreword

Shirah Theron

As we open the pages of the Stellenbosch Socratic Journal's third annual edition, we find ourselves immersed in a rich tapestry of philosophical inquiry, diverse in its perspectives and bold in its explorations. This volume builds upon the foundation laid by its predecessors, exemplifying the depth of intellectual engagement fostered by the Philosophy students at Stellenbosch University.

This third issue's journey begins with an incisive examination in the first paper, "An Examination of the Necessary Adjective: Decolonising 'African' Philosophy". Here, **Joshua May** navigates the intricacies of decolonising African philosophy, challenging the dominance of Western paradigms and dissecting the implications of necessary adjectives on a larger scale. The call for a transformative process is unmistakable, urging us to reevaluate borders, embrace diversity, and envision a more inclusive philosophical discourse.

In the second paper, "I Wan'na Be Like You-ou-ou: Tracing the Deconstruction of Anthropocentrism in Disney's *The Jungle Book* (1967)", the exploration takes an intriguing turn as the deconstruction of anthropocentrism unfolds within the realm of our all-time favourite Disney film. Drawing on the post-structuralist insights of Jacques Derrida, **Hugo Uys** traces the contours of anthropogenic violence, revealing how the ostensibly stable human-animal hierarchy is subject to deconstruction, rendering the term 'animal' nonsensical and reshaping our understanding of interspecies relationships.

Continuing the intellectual journey, the third paper, "Unfree and Unequal: A Butlerian Postulation of the Violence of Homelessness", **Zahlé Eloff** delves into Judith Butler's notions of violence, nonviolence, grievability, and vulnerability to illuminate the intricacies of homelessness as a form of violence. By examining the unequal grievability of lives, the author highlights the urgent need for nonviolent action and institutional changes to address the systemic issues contributing to the plight of the homeless.

The fourth paper, "Deceiving Someone into Having Sex", confronts the complexities of intention, consent, and coercion within the context of deceiving someone into having sex. Through a conceptual analysis, **Shirah Theron** challenges traditional frameworks, arguing that that deceiving someone into having sex can be regarded as a type of rape, expanding our understanding of consent and its implications.

The exploration continues in the fifth paper, "Considering the possibility of African philosophical counselling rooted in African hermeneutics and conversationalism", where **Jaco Louw** addresses the deficiency of African philosophy in contemporary philosophical counselling literature. Drawing on African hermeneutics and conversationalism, the paper seeks to enrich the field by embracing diverse philosophical traditions and fostering a collaborative, rooted, and dynamic environment.

Finally, in the sixth paper, "Death: The Existential Meaning of The Ultimate Phenomenon, Towards an Aesthetics of Consolation", the contemplation of death takes centre stage. **Thomas Russell** navigates the existential relevance of death, exploring how it shapes our conception of self and proposing a proto-ontological aesthetics that intertwines being-with-others, death, and self-actualisation. The reciprocal relationship between death, love, and art is unveiled, providing a unique lens through which we can reconcile with our mortality.

This collection of papers is a testament to the intellectual vigour of Stellenbosch philosophy students and the commitment of the Stellenbosch Socratic Journal's editorial board. Each contribution invites us to engage, question, and expand our understanding of the complex philosophical landscape. As we embark on this intellectual journey, we extend our gratitude to the authors, reviewers, and the editorial board for their dedication to fostering a space for creative and critical thinking. A special word of thanks to our Socratic Society and Stellenbosch Socratic Journal convenor, Dr Andrea Palk, for her invaluable guidance and assistance throughout this process. May the Stellenbosch Socratic Journal continue to be a beacon of philosophical exploration, encouraging dialogue and understanding across diverse perspectives.

Happy reading!

An Examination of the Necessary Adjective: Decolonising “African” Philosophy

Joshua May

Abstract

This paper engages in the decolonisation of African philosophy through a critical examination of necessary adjectives and their implications on global philosophy. I contend that decolonising African philosophy necessitates a transformative process that challenges the dominance of "Western" philosophy and dismantles the power dynamics perpetuated by necessary adjectives. By recognising the inherent problems within the discipline, engaging with diverse perspectives, and de-emphasising restrictive borders, philosophy can evolve into a more inclusive, equitable, and globally interconnected field of knowledge. By exploring discrepancies in usage of necessary adjectives between ‘Western’ and ‘non-Western’ philosophies, I uncover underlying assumptions and systemic devaluations inherent in these linguistic constructs. I argue that necessary adjectives are rooted in colonial logic which perpetuates racial hierarchies and systematically marginalises ‘non-Western’ philosophies. Necessary adjectives construct a binary framework in which Western philosophy is presented as normative and universal, whilst othered philosophies are relegated to the margins, requiring Western validation. This restricts diversity of thought and limits the scope of global philosophical discourse. Thus, in order to decolonise African philosophy, I argue for deeper engagement with the problematic nature of necessary adjectives. I advocate for the deconstruction of the Western perspective and its underpinnings in white supremacy, whilst emphasising the contextual situatedness of philosophies. By problematising “Western” philosophy, acknowledging its arbitrary nature, exclusionary practices, and its rewriting of history, I suggest a path towards decolonisation that encompasses inclusion of marginalised voices and a reimagining of both philosophy education in Africa, and of the borders between philosophies.

About the author

Joshua May is in his final year of BA (Humanities). Upon completion of his undergraduate degree, he plans to pursue an Honours degree in psychology in which he wishes to focus his research on matters of cross-cultural and community psychology. Beyond the academic sphere, Joshua is a seasoned and enthusiastic debater, involved in debate societies on campus and beyond.

The "African" in "African" philosophy is an adjective, an aspect of language which is meant to specify or describe its noun. However, the presence of an adjective here raises more questions than it answers. This adjective, an example of what South African critical psychologist Kopano Ratele calls a necessary adjective, seems to be related to the systematic devaluation of "African" philosophy. Problems created by discrepancies in the usage of necessary adjectives between "philosophy proper" and "non-Western" philosophies seem to point us to this realisation. I will be examining the effects of the presence – and absence – of necessary adjectives on philosophy. The aim of this endeavour will be to discover the root cause of these problems, with the aim of furthering decolonisation of African philosophy. Whilst I do not have the experience to make a comprehensive claim on how to decolonise philosophy, I will make an attempt at deconstructing harmful concepts and systems which serve to reproduce domination. It must be noted that any use of necessary adjectives here is done purely with the purposes of this theoretical deconstruction in mind.

Before we examine the effects of necessary adjectives, we must first understand what they are, and what they mean in the context of philosophy. The word 'African' in the term African philosophy is an example of a "necessary adjective", a label used by a discipline in order to provide context (Ratele, 2019: 8). Ratele argues that one is compelled to use geographical labels as adjectives so that one will be clearly understood to be speaking from a specific situatedness, place, or context. The adjective is thus present to make explicitly clear the situatedness of the speaker. This informs us that they will be speaking for, from, or in a particular context, and thus, the philosophy will also centre the people, ideas, and issues that concern this specific context (ibid.: 8-9).

However, necessary adjectives seem to be less necessary for some philosophies than others. For example, the globally dominant philosophical tradition is rarely ever explicitly referred to as "Western" philosophy. Instead, it is often simply referred to as "philosophy". This notion seems to imply that it is *the* primary philosophy, a "philosophy proper". Western philosophy seems to require no definition, nor philosophising about what makes it Western. On the contrary, all 'other' philosophies – such as African, or Latin-American philosophy – require adjectives to be given any form of recognition. This is not an accidental discrepancy. Rather, as Ratele states, "a consequence of the hegemony of American and European [philosophy], is that [philosophy] produced outside these regions of the world, and fully conscious of its situatedness in the places where it is practised, requires an adjective in order to be granted recognition" (Ratele, 2019: 8). This discrepant use of necessary adjectives reveals to us the first of many problems with the necessary adjective. That being, its inherent basis in racist colonial logic.

Colonial logic is a collection of constructed assumptions and hierarchical binaries asserted upon the world by 'white' colonial societies. These constructs were created and asserted by colonists as they saw differences between themselves and the peoples they colonised. These differences were moralised by colonial societies and placed on a binary hierarchy of superiority (Freter, 2018: 240). The construct of 'whiteness' was applied to the coloniser, and 'blackness' to the colonised 'other'. Within these binaries, 'whiteness' is inherently superior to the black 'other'. The 'white' is assumed to be universal and objective, whilst the 'other' is empty and "incapable of producing the universal" (Mbembe & Dubois, 2017: 49). The 'other' is reduced to a single, homogenous mass devoid of any philosophy, whilst the 'white' is nuanced and lays claim to all philosophy (Táíwò, 1998: 9-10). These arbitrary binary categories and assumptions became essentialised within the identities of the 'white West' and the 'black others' they dominated. These identity categories mutually define one another in the sense that the 'other' is whatever the West is not. Thus, the world is divided by colonial logic into two arbitrary hierarchical categories. The first category being the "West", encapsulating all the superior qualities of the 'white' colonists. The second category being the "rest", encapsulating all the inferior categories of the 'black'

'other' (Hall, 1992: 188-189). This colonial logic serves to morally justify the dominance of the "West" over the "rest" as natural.

Unfortunately, this dichotomy continues to be relevant to the current landscape of philosophy. This is as necessary adjectives both express and generate these racial, hierarchical binaries within philosophy (Schuringa, 2020). Whilst 'white' and 'black' are not explicitly expressed by necessary adjectives, racist colonial logic is still clearly visible in their usage. This can be seen in the discrepant use of necessary adjectives between the "West" and the "rest" (ibid.). Firstly, they perpetuate the idea that the 'other' cannot produce universal knowledge. This is as the usage of necessary adjectives by non-Western philosophers forces them to visibly ground themselves in their particular context, whilst Western philosophy does not require such adjectivisation, thus making clear their difference. This brings into doubt the objectivity of the knowledge these 'othered' philosophies can attain, and thus bars them from the supposedly universal 'philosophy proper' (Ratele, 2019: 8).

Secondly, necessary adjectives are also drastically reductive, placing wildly different cultures and ideas under a single homogenous label. For example, 'African' philosophy is a scarcely useful term for determining situatedness, as it encompasses an entire continent which holds a vast variety of social and cultural groups (Bachir, 2016: 5). To refer to them all under a single label clearly reflects the reductionist nature of colonial logic. Not only does this limit the scope of African philosophy, it also reduces the diversity of thought that can be portrayed by the label (Táíwò, 1998: 12-13).

Finally, colonial logic assumes non-Western philosophies to be empty of important philosophical content, ideas and concepts. This is as Western philosophy has – as mentioned in my exploration of colonial logic – laid claims to large swaths of philosophy. The West has made claims of ownership over philosophical concepts to which it is not obvious that they have proprietary rights (Allias, 2016: 537). This false claim of ownership over concepts colludes with the colonial assumption that "Africa" brings no meaningful contributions to philosophy. African philosophy is thus forced into an argument of pedigree, where it attempts to prove its worthiness to Western philosophy (Táíwò, 1998: 9). Thus, the perpetuation of colonial logic forces African philosophy to prove itself on the standards of Western logic and philosophy. This forces 'othered' philosophies to utilise Western modes of thought (Chimakonam, 2016: 24), acting as simply vestigial extensions to Western philosophy, and thus massively limits the extent to which African philosophy can generate new concepts, and limits the diversity of thought that can be explored by philosophy as a whole. Furthermore, this preoccupies African philosophy with mapping and self-definition, rather than generating new philosophical ideas or engaging with its historic ones (Táíwò, 1998: 10). Additional to the fact that this preoccupation with self-definition is harmful to the advancement of African philosophy, it is also pointless. This is as the idea that African philosophy needs to prove itself to the West is deeply mired in colonial logic. This is as, due to the very nature of colonial logic, African philosophy can never prove itself to the West, as it is assumed to be inherently inferior. The West imperialistically demands African philosophy to prove itself, yet it has not proven its own standpoint to be unproblematic (ibid.).

Thus, one finds that the necessary adjective is not simply a value-neutral tool for establishing situatedness. Instead, it is a system based in racism which systematically devalues the ideas of 'non-Western' cultures. The adjectives – rather than classifiers – act as reductionist boundaries which limit their scope and establish them as inferior to Western philosophy. It is thus clear that philosophy must escape the confinements of the necessary adjective, and the judgement of an external force, in order to be decolonised. Kopano Ratele argues that this can be done by "aiming for [the] redundancy" (Ratele, 2019: 8) of necessary adjectives. What would such redundancy look like? Ratele tells us that this would entail philosophies that tacitly place their contexts at their centre, whilst still

being open to interacting with other philosophies worldwide (Ratele, 2019: 8-9).

Whilst such a future for philosophy sounds ideal, I do not see a future where such freedom and openness of philosophical thought can develop by simply negating the usage of necessary adjectives. This is – as we have discovered – the problematic nature of necessary adjectives arises out of their basis in colonial logic. Thus, ridding us of necessary adjectives will not remove racist systems from philosophy. Rather, I argue, it would simply render 'othered' philosophical traditions without recognition once more and would also make racist systems in philosophy more difficult to identify. Furthermore, this could lead to decontextualised philosophy, as the work of philosophers would no longer be explicitly tied to their context. This could lead to misinterpretation and misappropriation of philosophical concepts outside of their cultural context. Instead, I will argue that the removal of necessary adjectives is not enough. The goal of a decolonised future for philosophy is not one that can be met without philosophical deconstruction and problematisation of the category of Western philosophy and the ideals which underly it, both in literature and in university curriculums (Allias, 2016: 544). Such deconstruction is pertinent, as simply rejecting Western philosophy would grant it too much. Rejection of Western philosophy would not only perpetuate exclusions within Western philosophy, but also grant it a false narrative about its origins, interactions, influences, as well as proprietary rights over any concept it has investigated (ibid.). This is not acceptable, as it does not address any of the problematic assumptions and practices underlying Western philosophy, and thus does not improve the current power dynamics in philosophy.

We have explored how Western philosophy harms 'othered' philosophies – and thus, global philosophical discourse – but this brings us no closer to understanding why, or from what, these harms arise. Thus, it seems pertinent that I now inspect the Western philosophical standpoint for the assumptions at the root of harmful practices such as colonial logic. The thread that I have been pulling – the lack of an adjective in "Western" philosophy – once again seems to provide an answer. By not adjectivising itself, Western philosophy avoids overtly situating itself within a context (ibid.: 539). In doing so it hides its situatedness behind a thin veneer of objectivity, and thus makes itself appear to be universal. This is a behavioural pattern observed in the spread of many Western ideas and practices, such as language, economics, government, development, and philosophy. This trend is referred to as Western universalism (Tallman, 2013: 9-10). What this refers to is the Western trend to project itself as an objective, universal standpoint which is inherently superior to all others by virtue of its 'neutral', 'logical' perspective. This can be better understood through a distinction between *space* and *place*. Space and place are the two distinct contextual levels at which thought is situated. *Space* thus represents the universal, globalised, and intercultural, whilst *place* represents what is rooted within a particular localised context. African and 'other' localised philosophies are primarily located within their specific, distinct geographical and contextual place, whilst Western philosophy has laid claim to the universal space. Thus, it may be said that Western philosophy has "shed all vestiges of its particular origin, place and context, it belongs nowhere and can therefore penetrate everywhere." (ibid.: 9). Thus, the 'shedding' of the necessary adjective by Western philosophy appears as an extension of this trend, a vestigial piece it has shed in an attempt to portray the universal. The absence of a necessary adjective here is important to note as it erases the fallible, contextually grounded humans from Western philosophy and makes them appear as Gods, superior to all other philosophers. This gives the impression of Western philosophy as simply philosophy – a supposedly neutral, normative perspective. By centralising itself, all 'other' philosophies are pushed to the margins (Allias, 2016: 539).

Thus, as the Western universalism has 'colonised' the arena of space, it relegates all 'othered philosophies to their respective, particular *places*. Furthermore, as the West views itself as superior, all 'othered' philosophies

must be, by definition, inferior. This ties back to colonial logic binaries, whereby both identities – the "West" and the "rest" – negatively construct one another. Thus, by constructing itself as universal, normative and superior, Western philosophy makes all 'other' philosophies appear abnormal, inferior and heavily situated in place. This ideological dynamic further devalues 'othered' logic systems and thus generates, reproduces and justifies the domination of Western philosophy over the "inferior" "other". Furthermore, it is this logical dynamic that allows the West to force 'othered' philosophies to prove itself to the West on the standards of Western logic: as it is supposedly universal, it – and only it – can make absolute truth claims for all other cultures of the world by measuring them in relation to its own narrow conception of reality (Tallman, 2013: 9). In this way the domination of the West obscures the contributions of 'othered' traditions to philosophy. Ironically, whilst the West uses this hegemonic domination to insist that 'othered' philosophies define and prove themselves, Western philosophy has not proven itself on the standards of its own logic (Allias, 2016: 542). The array of unfounded assumptions which define its interactions with other traditions should make that clear. The West's conception that it is universal impedes the global interlocution of philosophy, and harms African philosophy. Therefore, if we truly wish to decolonise African philosophy, we must make clear the situatedness of the Western perspective and its flaws (Allias, 2016: 543-544).

The first flaw that I will make clear of the Western tradition is the emptiness of the term 'Western'. This problem is one that arises as a consequence of both Western universalism and the flawed nature of necessary adjectives. It is also the reason for my constant use of quotation when referring to the Western perspective: I must use the term to discuss its nature, but I cannot accept the assumptions it entails. Firstly, the reductionist nature of both ideological and geographical borders delineated by necessary adjectives once more rears its head here. To what exactly the term the 'West' refers to, both ideologically and geographically, is vague to say the least. The West may have first emerged in Europe, but it never referred to all of Europe. There was never a clear border between the West and non-West, and it would likely prove impossible to establish one, considering the contributions to Western thought by the Greeks, Egyptians, Chinese and Moors. Beyond this, now the 'West' has spread to various parts of the world, such as America. In the current day even Japan – a country in what is traditionally considered the 'East' – is considered 'Western' (Hall, 1992: 185). What this points us to is that the adjective "Western" does not function as simply a situating adjective; it is a much more complex term. Instead, the term "Western" – due to its severance from any particular place – has become a term which transcends geographic location or cultural description (ibid.). Hall (ibid.: 186) argues that the term "West" has instead become a concept which signals a certain type of society with a specific level of economic and technological advancement. This definitional shift makes clear the colonial logic on which the term is constructed: The "West" is a term which signifies a certain level of development and superiority measured on the standards of Western universalism. Thus, only that which the West arbitrarily accepts as sufficiently advanced may hold the label. The lack of geographical basis is made clear by the inclusion of technologically and economically successful Japan into the Western label (Schuringa, 2020). Beyond such arbitrary considerations of 'success', there seems to be no conceptual throughline underlying Western philosophy. Its dominant ideas, thinkers and fields have very little in common. There appears to be no underlying methodology, and no consideration of what makes Western philosophy Western (Allias, 2016: 543).

It is this exact arbitrariness, originating in universalist ideals, that has enabled Western philosophy to lay claim to broad swaths of philosophy which it has no rights to claim. However, this is not an act that Western philosophy has engaged in throughout its history. It is a trend that began to appear with the Enlightenment, and it is the second aspect of Western philosophy that I will problematise here. Western philosophy

has intentionally rewritten its history over time to exclude certain groups from the construction of philosophy and to claim ownership over ideas, even philosophy itself. The West has mythologised itself as a continuous tradition that stretches from its invention of philosophy to the present. This conceptualisation is blatantly false. Before the 18th century, it was widely accepted that philosophy traced its roots back to India, Egypt and Asia, among other traditions. In fact, the concept of the 'West' itself was not prominently used before this period. However, with the rise of Enlightenment values and racist ideologies of colonisation and slavery within the West, we begin to see a shift (Hall, 1992: 187; Bachir, 2016: 3; Allias, 2016: 542).

The dominant view in the West began to shift towards claiming a Greek, fundamentally Western, origin of philosophy with the rise of the Enlightenment in the late 17th early 18th centuries. This is as the idea of the 'West' was central to the Enlightenment, as European society at the time assumed itself to be the most advanced, storied civilisation, the epicentre of progress. Thus, it treated all of its progress as the result of entirely internal processes (Hall, 1992: 187). This is particularly visible in the works of Hegel, as he argues for the centrality of the West, stating: "the true theatre of History is therefore the temperate zone" (Hegel, 2001: 97). This statement characterises his attempt not only to centralise the West, but to disconnect the achievements of Egypt from Africa and bring Egypt under the Western banner. A concerted effort was made to characterise Egypt as part of the West, rather than part of Africa. This is as it was argued that the Egyptian tradition was too advanced to belong to "Africa Proper" (Táíwò, 1998: 8). The "West" is also seen to begin creating visible separations between itself and 'other' traditions. For example, the period when works of Greek and Roman philosophers were expanded upon by the Spanish Moors and the Arabic tradition is often referred to by the Western tradition as a "loss" (Allias, 2016: 542). The rich contributions of the Moors to these philosophies are often skipped over and thus obscured in Western depictions of the history of philosophy. All the above depicts the Western trend of claiming sole ownership over philosophy. Any non-Western contributions are not considered (worthwhile to) philosophy, and any worthwhile contributions cannot be considered non-Western.

Upon further examination, we find these exclusions to be just as numerous within the Western Tradition. Furthermore, these exclusions all adhere to a pattern. Unsurprisingly, that pattern once again reflects racist, colonial, 'white-centric', patriarchal logic. We see this through the exclusion of marginalised voices within the self-representation of the West. Marginalised groups and their philosophies are neglected by Western philosophical discourse and are also assigned their own necessary adjectives to delineate them from Western philosophy. African American, Feminist, and Native-American philosophies are all examples of philosophies neglected within the American tradition (Allias, 2016: 540-541).

It is not coincidental that these exclusions and changes within Western philosophy align with the Enlightenment period in the West. The Enlightenment was a watershed moment for much of Western thought, characterised by a great optimism about the abilities of human instrumental reason and its ability to reach a unifying absolute Truth (Tallman, 2013: 8-9). However, as humanity, we have fallen drastically short of reaching any absolute, universal Truth. Nonetheless, as has been illustrated by this analysis, Western philosophy has purported its particular 'Truth' to be entirely universal as a means to dominate, exclude and devalue 'other' cultures. The pattern that I have gradually been revealing over the course of this work should now be apparent. There *is* an ideal that underlies much of Western philosophy. It has been given countless names: Unity, Totality, and Truth, among others. Of all these monikers "Truth" is the most telling, as it is very abstract, and thus forces us to ask questions. To what – or more importantly – *whose* truth does this refer? Ultimately, it is truth grounded in 'white' habitus. Western ways of seeing the world overwhelmingly correspond with 'white' ways of seeing the world, and exclude and devalue female, 'non-

white', marginalised perspectives at every turn. The totalising force of this heavily situated perspective spread by Western universalism has devalued difference and led to the domination and destruction of 'other' societies, languages and ways of seeing the world (Tallman, 2013: 8-9). All this under the guise of 'Truth'.

Western universalism is not only responsible for justifying the racist systems of classification and devaluation that have been explored here. Rather, one finds that the ideology of Western universalism is inseparable from historic and modern systems resulting in the domination and decimation of Africa and 'other' places. The often-violent spread of Western values has been justified as a 'civilising mission', as the 'white man's burden' to civilise the so-called backwards cultures and peoples of Africa and 'other' cultures. This is seen in the early spread of Western values through colonialism, wherein Christianity was spread violently to South America. It is seen in the horrific regime of Belgian king Leopold II, who claimed his regime served to 'civilise the savages' (Tallman, 2013: 10). This is as colonialism requires a whole system of thought in which everything good, advanced or civilised is defined and measured in European terms (Kelley, 2000). Western universalism serves this exact purpose, as it introduces hegemonic criteria for the classification of difference as inferior, thus allowing for the subjugation of indigenous worldviews so that they may be replaced with the Western 'Truth" (Heleta, 2018: 50).

To situate this discussion within South Africa, this exact process is seen in the history of colonialism, Apartheid, and now modern-day neo-colonialism. The concept of this Westernising, 'civilising mission' allowed British powers to justify imperialist expansion into South Africa. This resulted in countless punitive wars against the indigenous peoples and the destruction of indigenous kingdoms along with much of their ways of life and thought. This system served to establish white domination and thus justify the capitalist exploitation of black people through slavery. Apartheid, in this sense, was simply an extension of the same colonial ideals, maintaining hegemonic white power and the system of exploitation of black Africans established under colonialism for the benefit of white citizens (ibid.). In the modern 'post-colonial' South Africa, we have supposedly escaped colonial domination by the West. However, we still pursue 'modernity', 'development' and economic success through neoliberalism at the benefit of neocolonial powers. We find that the very language of modernity has Western universalism, and thus colonial practice, 'baked in'. "The rhetoric of modernity hides the logic of coloniality" (Anzi, 2021: 47), as within the logic of modernity and development, we find a totalising system of imperialism with its main goal being the pursuit of global market unity. This economic unity only serves to maintain the economic superiority of the West (Tallman, 2013: 11), whilst exploiting 'other' neocolonial states. It is thus no wonder that the West maintains its domination over the global economy, philosophy and the very idea of modernity. It is as the ideology of Western universalism at the root of this domination is still standing. If 'othered' societies are to escape this neocolonial conception of 'modernity', they must develop multiple modernities as alternatives to Western modernity, and representative of their specific contexts (Chakrabarty, 2000).

Upon remains the "regime of truth" (Heleta, 2018: 48). One must note that this 'Truth', or system of belief serves to devalue all that differs from the 'white'-centric Western perspective and justify the destruction, devaluation and exploitation of 'others'. In this sense, Western philosophy is deeply complicit in these actions. This leads one to realise that the thing that calls itself Western philosophy has not only produced, but is severely underlined by, Western universalism which shares implicit assumptions with, and produces similar results to, white supremacy. White supremacy here refers to the ideology that "works in favour of and supports the prosperity of white people to the detriment of other culturally constructed 'races'" (Crockford, 2018: 229). White supremacy is visible throughout the application of Western philosophy, as has been shown here. It is visible in the justifications for centuries of

colonial expansion and exploitation. Visible in its justification of slavery. Visible in the constant usage of colonial logic, devaluation of cultural difference, the exclusion of marginalised voices, and in the usage of necessary adjectives. It is the unnamed value system which has shaped the world, has shaped Western philosophy, and now continues to shape the current global philosophical discourse, among other things. This omission cannot be accidental, but rather the product of normative, 'white-centric' thought which fails to recognise its domination as problematic. Furthermore, it fails to see it as domination (Allias, 2016: 541; Freter, 2018: 246).

The problematisation of the Western tradition and the deconstruction of its inherent white supremacist ideals is deeply relevant to our pursuit of a decolonised African philosophy. This is because marginalised voices cannot expect to be heard in a system that, by its very structure, devalues their experiences, philosophies and existence. This deconstruction is specifically relevant to African philosophy due to the widespread decimation of Africa by this ideology. Western philosophy is undeniably complicit in the systems of colonisation, slavery and Apartheid imposed upon Africans historically and in the present day. Furthermore, it is responsible for current domination of Africa, and its philosophies. Thus, it must be excised.

However, despite the deeply problematic nature of Western philosophy, we cannot excise it in its entirety. I argue that rejecting Western philosophy would not serve our greater goal of decolonisation for five key reasons. First among these reasons, is that such a rejection would only perpetuate the exclusion of marginalised voices within Western philosophy (Allias, 2016: 540). Secondly, wholesale rejection would not serve to deconstruct the problematic thought systems underlying the current structure of philosophy. Dismissing the problematic thought systems within Western philosophy will only allow their effects to persist. Thirdly, the wholesale rejection of Western philosophy would be a mistake, as to reject it entirely would grant Western philosophy too much. It would be granted proprietary ownership of ideas to which it has no claim. Furthermore, the historic and modern myths, assumptions and exclusions within Western philosophy would not be addressed and deconstructed (Allias, 2016: 544). This would be particularly problematic, as the systems of exploitation they have caused would be left standing. The continuation of such morally contemptable neocolonial systems would be unacceptable. Finally, such a rejection would only perpetuate inequality within philosophy by reversing the binary of colonial logic. The perpetuation of colonial logic is harmful to philosophy, diversity, and to human expression of experience as a whole, and is therefore utterly unacceptable.

Thus, I stand with Allias in the belief that, instead of turning our gaze away from Western philosophy, we should instead examine it more deeply. In order to decolonise African philosophy, it will need to turn the current dynamic on the West by forcing it to engage with the question: "What is 'Western' philosophy?". I mean this in the sense of deconstruction and problematisation of Western philosophy, and the Western perspective within African philosophical literature and curricula, with decolonisation of African philosophy as the goal. Doing so will be a complex process that will need to critically engage with Western philosophy on multiple levels. Firstly, the conception of Western philosophy must be recognised as an arbitrary categorisation based upon colonial logic. Secondly, we must acknowledge the Western perspective as one that is heavily situated geographically, culturally, and within the 'white' perspective. Thirdly, the problematic aspects of Western philosophy must be exposed and deconstructed, both in African philosophy curricula and in global philosophical discourse. Finally, it must be made clear that this is an ideology that is still alive and well in the modern day which requires vocal opposition. This will require critical engagement with the effects of both white supremacy and colonial logic on the creation and reproduction of hierarchical categories within philosophy. Thus, the white supremacist ideals and colonial logic underpinning the structure of our current global (philosophical) discourse must be

made visible. This may be done in the curriculum by making students aware of the intellectual context from which Western philosophers speak. For example, the racist ideologies of philosophers such as Hegel, Kant and Hume – among others – must, rather than being erased, be critically engaged with. If not, the assumptions held by Western philosophers will continue to be uncritically perpetuated by new generations of philosophers (Allias, 2016: 544; Freter, 2018: 246-247).

Furthermore, decolonisation cannot be entirely deconstructive in nature. Rather, this deconstruction must be accompanied by a process of acknowledging and affirming epistemes denied by global dominance structures (Mignolo, 2000: 326). Thus, the marginalised philosophies previously excluded by Western philosophy must be brought into focus in both our curricula, and philosophical discourse. If equality is to prevail in philosophy, these marginalised voices must be considered and examined, not rejected as they have been historically (Allias, 2016: 540). A Western focus is clearly visible in African tertiary philosophy curricula. Here we see Western philosophical traditions, history and philosophers being espoused uncritically whilst there is very little engagement with African philosophical traditions. As an example, from my own philosophy education at an African university, I was uncritically taught only Western philosophy for a majority of my undergraduate degree. Furthermore, I was taught the Enlightenment lie of a Western origin to philosophy. African philosophy, however, when taught, was treated as an afterthought: a single PowerPoint slide in the last lecture set aside for it, if mentioned in the course at all. There was no opportunity to truly engage with African philosophy until an optional course on it in my third year. Unfortunately, this is still the norm in many African universities. Such Eurocentric focus only results in Eurocentric values and worldviews being uncritically promoted and imposed. This comes at the cost of erasing and subjugating indigenous memories, knowledge, and worldviews (Heleta, 2018: 50). This is not a new criticism, but one that has existed for decades, with a multitude of decolonial voices having called for such a shift. Yet, Western epistemes still dominate philosophy education in African universities (Moyo & Hadebe, 2018: 82). This dynamic *needs* to change, otherwise we risk perpetuating harmful Western hegemonic dominance through our curriculum. More focus on African philosophy needs to be brought into African university philosophy curricula, and the West, when addressed, should be approached critically and with a deconstructive lens. No amount of deconstruction can bring about decolonisation of philosophy if we consistently reproduce colonial logic through education in the post-colony.

The final aspect we must inspect is that of 'bordered' philosophical thinking. Through Mignolo's (2000) concept of "border thinking" he illustrates how physical, epistemic, and psychological borders divide and unite modernity and coloniality. These borders can be observed in the necessary adjectives which divide philosophies. The borders established between philosophies by necessary adjectives have separated philosophy into multiple, distinct ethno-philosophies, and have discouraged engagement across theses borders. Not only are the current borders problematic due to their reductive nature and basis in colonial logic, but any borders established will be mostly arbitrary. One cannot partition Africa, or the world into a set of isolated segments. This is particularly true of Africa, in which there are so many rich overlapping cultures, beliefs and experiences. To delineate them by strict borders is to imply that what is valid for one area is not valid for the others (Bachir, 2016: 4). Furthermore, to establish 'hard' borders is to deny the long history of cultural exchange between many of these cultures. This is undoubtably harmful to philosophical discourse, as it limits the scope and reach of valuable cultural concepts. If we wish to have a global philosophical discourse that includes and values all voices equally, the borders established between philosophies must be de-emphasised. This would seem to necessitate "aiming for redundancy" as argued by Ratele. However, as discussed previously, the removal of necessary adjectives this entails would only render racist assumptions invisible again. Furthermore, one cannot

deny the usefulness of necessary adjectives for situating philosophy within context. If we wish to avoid the uncritical rise of another possibly harmful ideal – as we see with white supremacy and decontextualised Western philosophy – we must make the contextual situatedness of our philosophising clear. However, necessary adjectives cannot be used as we currently know them.

Chakrabarty (2000) argues that this problem seems to necessitate a dialogical approach, whilst Mignolo (2000) advocates for border thinking to be challenged by thought grounded within the perspective of specific territories. I would agree that both are necessary, as they encourage engagement across, and thus de-emphasise, contextual borders. Such an approach to philosophy is already embodied well by the conversationalist philosophy espoused by Chimakonam (2015). However, within this dialogue there still arises the problem of necessary adjectives, and of essentialising elements of contextual philosophies in this dialogue. To solve this, it is possible to envision an approach in which individual philosophers exercise reflexivity, making their situatedness clear in their works, rather than using necessary adjectives as strict borders delineating types of philosophies. Under such an approach, context and situating factors may be described by an author within their work. The author must situate themselves, as well as the concepts they use. This allows a connection to their contextual tradition without binding them to it. For example, by situating themselves individually within their context, and utilising cultural concepts which arise from their own subjective experience of their contextual lifeworld. This would allow philosophers to ground their work on their subjective, contextual experiences, drawing on concepts and ideas that are embedded in their cultural context, and engage with thought from outside of their context. This would prevent decontextualisation, and would allow 'othered' philosophies, such as African philosophy to escape the task of definition they have been preoccupied with. Furthermore, philosophical engagement across these de-emphasised borders must be encouraged to enable a rich philosophical discourse between philosophies to occur. Philosophical borders de-emphasised in this way could allow for such a discourse to develop, as it acknowledges no hard borders for conceptual engagement. Thus, a healthy discourse between philosophers speaking from different places could develop, as philosophical concepts may be exchanged, and engaged with across platial borders.

In review, we find that necessary adjectives are indeed not value neutral tools for the contextualisation of distinct philosophies. Instead, they are terms with connotations deeply rooted in white supremacy and racist systems of colonial logic. Necessary adjectives have been used by the West to marginalise and exclude 'othered' philosophies from the global philosophical discourse. The result of this exclusion has been the domination of global discourse by the West and its episteme. The subjugation of the world to this episteme has allowed for the West to engage in horrific practices of exploitation and destruction, some of which continue to this day. Furthermore, the exclusion of African and 'othered' perspectives from Western philosophy has drastically limited the scope and diversity of philosophical discourse and contributed to a limited understanding of the world and human experience. It has also limited the growth of African philosophy by occupying it with pointless tasks of definition and mapping. Thus, new methods for contextualising philosophies must be explored. Furthermore, for African philosophy to escape the colonial domination of the West, it must turn a critical eye back upon the West. Its intertwinement with white supremacy must be made clear, and the very conception of the West as it currently exists must be problematised. Simultaneously, we must affirm indigenous and excluded modes of knowledge through education and publication. Only then can we begin to achieve a decolonised world, and a decolonised philosophy.

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I Wan'na Be Like You-ou-ou: Tracing the Deconstruction of Anthropocentrism in Disney's *The Jungle Book* (1967)

Hugo Uys

Abstract

Contemporary society is undeniably marred by the routine violence which it exacts upon animals. For post-structuralist thinkers, this violence begins with the anthropocentrism of human language. This paper thus follows the post-structuralist work of Jacques Derrida, specifically his strategy of deconstruction, in order to disrupt the anthropogenic violence continually inflicted upon animal beings. In so doing, this paper aims to contribute to the ongoing destabilisation of the anthropocentric human(animal) hierarchy by tracing the deconstruction of anthropocentrism in Disney's *The Jungle Book* (1967). Accordingly, I draw on Derrida's strategy of deconstruction to show how the ostensibly stable human(animal) hierarchy is underwritten by anthropocentrism which is always already contingently established and prone to reversal – and hence, open to its own displacement as a matter of ethico-political urgency. Ultimately, it is shown that *The Jungle Book*, upon its deconstruction, does not merely reconfigure the human-animal relationship, but renders the very term 'animal' nonsensical.

About the author

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1. Introduction

It is widely recognised that animals suffer greatly under contemporary societal norms (Bryant, 2008: 6), and that such suffering is reinforced at a cultural, institutional, and systemic level (Jones, 2015: 474). For Jacques Derrida, such violence against the animal begins in human language – "a gesture towards the animal which is essentially political in nature and silences them" (Sayers, 2016: 371). Such a silencing establishes and maintains a hierarchy between the human and the animal. This paper aims to contribute to ongoing efforts to return agency and voice to animal beings (Petersmann, 2021: 108; Haraway, 2015: 6; Despret, 2008: 127) by deconstructing one paradigmatic invocation of the human(animal) hierarchy. Specifically, this paper traces the deconstruction of anthropocentrism at the hand of the 1967 animated film, Disney's *The Jungle Book*.

Prior to undertaking the deconstruction, the theoretical framework for the discussion will be provided. Specific attention will be given to the nature and aim of the deconstructive project, as well as that deconstructive terminology which is of most interest to the deconstruction which will be undertaken. Thereafter, a brief conventional reading of the text will be given. Finally, equipped with the proper theoretical framework, this paper will turn to argue for a deconstructive reading of *The Jungle Book*. Such a reading will intervene in the human(animal) hierarchy to draw attention to the contingency of the current structure, and to show how this hierarchy can be reversed and, ultimately, displaced. It will be argued that such a reading not only reconfigures the human-animal relationship ethically and theoretically, but also begins to trouble the very possibility of the term 'animal'.

2. Theoretical Overview of Deconstructive Techniques

Before turning to consider the text, it is necessary to establish a theoretical framework for the discussion by providing an overview of deconstruction and some of the techniques it employs. As such, a brief description of the deconstructive project will be provided, whereafter I will discuss the post-structuralist view of signification as dually constituted by *différance* and trace.

2.1. What is Deconstruction?

If this paper aims to deconstruct a hierarchy, it is perhaps prudent to ask for a description of what such a 'deconstruction' would entail. Yet this is no simple task. It is often easier to say what deconstruction *is not*, than to say what deconstruction *is*. This is also the approach taken by Derrida himself in his 'Letter to a Japanese Friend' (1983). On the one hand, Derrida explains that deconstruction is neither analysis nor critique (Derrida, 1983). Whilst such procedures aim to reduce complex structures to simple elements or problems, deconstruction resists such attempts inasmuch as it eschews the very notion of originary simplicity in favour of originary complexity (Culler, 1982: 96).

It might be noted that, insofar as it is not merely 'original' but indeed 'originary', the complexity at hand cannot be relegated to some temporal past which we might overcome and/or distance ourselves from. Rather, originary complexity both remains always already present, and remains "inceptual" as the very origin which primordially and persistently underlies the very network of signification as such (Van Manen, 2017: 823). Thus, as Van Manen points out, it "connotes origination, birth, dawn, genesis, beginning, and opening" (ibid.: 824), more than the mere historical newness of 'originality'.

On the other hand, deconstruction neither is, nor can it be made into, a method – that is, into a series of fixed steps and/or procedures by which to deconstruct a text (Derrida, 1983). Rather, any deconstruction is necessarily deeply contextual and singular, and thus cannot be reduced to an abstract and generalised set of operations. All texts can thus deconstruct – "deconstruction takes place everywhere it takes place" (Derrida, 1983) – but every text deconstructs in a singular and distinctive fashion.

It would not be satisfactory, however, to remain confined to a series of negations. As such, bearing in mind the abovementioned caveats, and read as openly as possible, deconstruction might be described as a "philosophical strategy" – both "a strategy within philosophy and a strategy for dealing with philosophy" (Culler, 1982: 85). Such strategy is used to identify and problematise the violent, hierarchical, and oppositional institution of meaning, in order to break open naturalised and overly-sedimented meanings which work to establish and maintain unjust hegemony (Cruise, 2015: 14; Culler, 1982: 156-157).

Despite the above, it remains of the utmost importance to recognise that deconstruction is not something which is undertaken by a deliberating subject – "deconstruction takes place" (Derrida, 1983). In other words, "the object of deconstruction is always and already in deconstruction" and "[t]he subject, therefore, is subject(ed) to the object(ive) of deconstruction" (Gunkel, 2021: 28). Hence, the role of the thinker is not to perform or carry out the deconstruction, but simply to accompany, or bear witness to, the text's own self-deconstruction.

2.2. The Double Movement of Deconstruction

As mentioned above, deconstruction seeks to problematise a hierarchical and oppositional account of meaning. Such an account is *logocentric*. It is precisely this logocentrism which is the ultimate target of all of Derrida's work. Logocentrism is the idea that there can exist a self-standing, independent term whose meaning is free from any relationality to other terms (Culler, 1982: 93). Under such an understanding, this self-standing term will occupy the position of the '*logos*'. However, underneath this logos there are also subordinate terms, namely 'terms which mark the fall,' which exist as mere derivative or parasitic add-ons to the logos. As such, a logocentric approach to meaning is a hierarchical one. Logocentrism necessarily creates "not a peaceful co-existence of facing terms but a violent hierarchy" under which one term, the logos, "dominates the other (axiologically, logically, etc.)" (Derrida, 1981: 56-57).

Deconstruction intervenes in the logocentric hierarchies of meaning which are at play within a text by means of a *double movement*. First, deconstruction undertakes a close reading of the text which takes seriously the existing structure of meaning (Culler, 1982: 85). Second, a deconstruction reverses and displaces the hierarchy (ibid.: 86). Reversal is used only to show the contingency of the current hierarchical positioning. This by itself is not sufficient, since it would leave the oppositional, hierarchical conceptual infrastructure intact (Gunkel, 2021: 60). As such, lest a new hierarchy simply come to be naturalised, it is also necessary to simultaneously displace the hierarchy. This entails a reconfiguration of the terms to stand in a differential, rather than oppositional, relation with one another.

2.3. *Différance* and Trace

A proper account of the deconstructive project is incomplete without mention of Derrida's most influential neologism – *différance*. As a point of departure, Derrida does affirm the structuralist view of language as constituting a socially conventional system of arbitrary and differential signs (Culler, 1976: 19). Derrida, however, is not satisfied with an account of meaning as static difference between signs which characterises Saussurian linguistics. As such, Derrida radicalises the Saussurian notion of difference by arguing that signs are not marked by difference, but rather *différance* (ibid.: 97). *Différance* indeed encompasses 'difference' – it marks both that way in which the meaning of signs is an instance of active, temporal, ongoing difference between two signs, as well as one of passive, spatial, graphic difference (ibid.). However, aside from its connotation to difference, *différance* also connotes 'deferral'. In this sense, the meaning of any sign is both deferred in time, as well as deferred to the authority of other signs – other signs which themselves defer to other signs themselves already deferred to other signs, and so forth in an ongoing series of endless signification (ibid.).

Once it is recognised that all signs are marked by *différance*, and if this means that all signs always already

refer to other signs to obtain meaning, then signs must be understood as mutually interpenetrating. Insofar as Sign 1 is not Sign 2 or Sign 3, there is some vestige of the meaning of Signs 2 and 3 which reside within Sign 1. These vestigial fragments of differential meaning found within all signs is what Derrida names 'trace'. For a sign to be meaningful – that is, meaningfully refer to other signs – it must thus contain within itself aconceptual aspects of that which it is not (Culler, 1976: 96). It follows from the ubiquity of the trace that all signs are always already bleeding into one another to affect and infect the meaning of each other. Crucial, however, is to understand that the trace is an "aconceptual concept" (Derrida, 1988: 118). This means that no positive predicates can be ascribed to trace as if it is a concept capable of bearing attributes. Instead, trace is a purely negatively conceptualised concept insofar as it designates all of that which a sign in question *is not*, yet without which the sign would not be intelligible. As such, there are no positive meanings – "[t]here are only, everywhere, differences and traces of traces" (Derrida, 1981: 26). It is primarily at the hand of such trace that I will trace the deconstruction of anthropocentrism, and its human(animal) hierarchy, as found in *The Jungle Book*.

3. Conventional Reading of the Text

Before deconstructing the text – or rather, bearing witness to how the text deconstructs itself – it would stand us in good stead to briefly consider a conventional reading thereof. *The Jungle Book* (1967) centres on a 10-year-old human boy, Mowgli, who was brought up by a pack of wolves in a jungle. After hearing that the fearsome man-eating tiger, Shere Khan, has returned to the jungle, it is decided that Mowgli must leave the jungle for his own safety. The pack decides that he must be returned to the human settlement which lies on the border of the jungle. Mowgli's other long-time caregiver, a black panther named Bagheera, commits to escort him to safety. On their way to the human settlement, Mowgli almost falls prey to the python named Kaa who tries to devour him, but is ultimately saved by Bagheera. Thereafter, the pair encounters an elephant patrol which Mowgli momentarily joins after befriending a young elephant calf.

Once again spurred on by Bagheera, the pair meets a sloth bear, Baloo, who takes custody over Mowgli. Shortly hereafter, Mowgli is abducted by a troop of apes who take him to King Louie the orangutan. Upon meeting Mowgli, King Louie confesses his desire to be like a human, thus offering Mowgli safety among his troop, provided that Mowgli, as a 'man-cub', teach him how to start and wield fire. Mowgli confesses that he does not possess such knowledge, and is ultimately saved by Baloo, disguised as an ape, and Bagheera. After their escape, Mowgli again protests his removal from the jungle and runs away from his companions. He once again encounters, yet escapes, the jaws of Kaa, and is then accepted amongst a flock of vultures as a fellow outcast. It is here that Shere Khan finally comes face to face with Mowgli, though Mowgli ultimately prevails by scaring Shere Khan off. In the end, Bagheera and Baloo delivers Mowgli safely to the 'Man-Village' and, despite some hesitation, Mowgli ultimately walks off into the village.

I would therefore suggest that, within the text, Mowgli's humanness is presented as a seemingly self-standing and independently meaningful sign. Within the narrative, all the animal characters which surround him immediately identify and recognise Mowgli as human. It is also because of his status as human that the other animals in the jungle seek to protect and ensure Mowgli's safety from the tiger, Shere Khan. Consequently, a conventional reading of *The Jungle Book* affirms a hierarchy between human and animal under which the human is elevated to the logos, whilst the animal is cast down as the term which marks the fall. The efforts of the animals to ensure Mowgli's safety affirms the position of the human as that being which is, or ought to be, exempt from being harmed by nature – that is, the realm of animals. This is so even if such exemption comes at the cost of the actual or threatened harm of other natural entities, such as the very animals themselves. Ultimately, the

text also culminates in Mowgli's return to the human settlement – a symbolic triumph of the safe and homogenous human world over the dangerous and heterogenous animal world.

4. Deconstruction of the Text

Despite this aforementioned conventional reading, I argue that the anthropocentric human(animal) hierarchy in *The Jungle Book* is contingent and unstable – and, hence, always already tends toward its own deconstruction. To this end, a close-reading of the text will be undertaken to evaluate various criteria as the possible ground for Mowgli's humanness. It will then be shown that the human(animal) hierarchy is, in fact, unstable and can, and must, be reversed and displaced. Finally, I will consider the ethical and theoretical implications of such a displacement.

4.1. Close Reading of the Text

As I argued above, it is Mowgli's humanness which comes to the fore as an ostensible logos – that is, as a seemingly self-standing and independently meaningful attribute. It is therefore necessary to undertake a close reading of the text to establish, *intra-textually*, what such humanness denotes. It is trite that, in our day to day lives, we tend to think of the capacity for language-use as separating the human from the animal (Wolfe, 2013: 7). Indeed, in explaining his desire to be human, the already-upright King Louie himself sings: 'I want to walk like you, talk like you, too'. Yet, language-use cannot suffice for the given text. Within the text, both Mowgli and his nonhuman companions possess the ability to speak to, and be understood by, one another. In fact, the first linguistic word to be spoken within the text is uttered by Bagheera, a black panther, whilst Mowgli's own first utterance is not a word but a wolf-howl. Furthermore, even King Louie expresses his desire to be human already in and through language which is fully intelligible to Mowgli. Despite this linguistic reversal, there must thus remain something which marks the difference between human and animal, since the viewer does not suddenly perceive these animals as human simply because they speak.

What is it then that sets the human apart? Within the text itself, it is suggested that the ability to start and wield fire sets the human apart from the animal. Interestingly, though, even for the text itself, such an ability to wield fire marks not so much a *state* of *being human*, but rather an *event* of *becoming human*. As King Louie explains in song, '[y]ou see it's true, an ape like me / can learn to be human, too'. Within the text, the wielding of fire thus only grants access to the status of 'human' once it is, and continues to be, wielded. For this reason, it matters little that King Louie is an orangutan, because once he learns the secret to 'man's red fire', he too will 'stroll right into town / and be just like those other men'. Yet, though this seems to provide an answer to our question, the matter becomes somewhat complicated once considered in relation to Mowgli himself.

If we are taking the text seriously, equating humanity with the wielding of fire raises some difficulties since Mowgli reveals to King Louie that he does not, in fact, know how to start and use fire. Now certainly one might argue that Mowgli nevertheless possesses a *capacity* to wield fire, but this point holds equally true for King Louie – hence his very request. If a current inability to wield fire marks King Louie as not yet, but potentially, human, then we must apply this same logic to Mowgli. At best then, accepting the wielding of fire as criterium might be said to render both parties *potentially human*, but it cannot account for why one party (i.e., Mowgli) is indeed regarded as human, whilst the other party (i.e., King Louie) is not. It is also notable that, towards the end of the narrative and immediately upon having wielded (lightning-caused) fire, Mowgli rejoins the 'man-village', having now become human.

Nevertheless, there must have been something else which, also and already, had set Mowgli apart as a human, since the viewer did not suddenly see him as animal, as not-yet human, once it was revealed that he did not know how to start a fire. I would argue that

within the text and *throughout the narrative*, there are two attributes which uniquely set Mowgli apart from the animals – first, he is not confined to performing a single nature and continually adapts his behaviour to whichever animal he is with, and second, Mowgli is the only character being hunted by other animals. I will elaborate on each in turn.

As a general rule, within the text, all the animals perform only their own natures. In other words, Baloo the sloth bear acts like a bear, Bagheera the panther acts like a panther, the wolves act like wolves, the elephants act like elephants, etc. However, Mowgli's own behaviour stands in stark contrast with this. Mowgli does not perform solely one nature. Rather, throughout the text, Mowgli adapts his performance to mirror whichever type of animal he is interacting with. When he is with the wolves he howls and plays with the wolf pups as if he is himself a wolf pup. Similarly, Mowgli easily falls in line with the elephant patrol, Baloo quickly manages to teach Mowgli how to perform 'being a bear', Mowgli effortlessly joins the dance of the apes, and comfortably joins in the vulture chorus. It is especially noteworthy that it is precisely at these moments in the text, where Mowgli *performs* different animal natures, that the characters break into song and, quite literally, put on a *performance*!

There is, however, a singular exception to my premise that it is only Mowgli who performs multiple natures. In attempting to save Mowgli from the apes, Baloo, the bear, indeed does perform the nature of a different animal when he infiltrates the apes' dance. I argue that this does not undermine my premise. First, Baloo can only achieve this by wearing a disguise. Furthermore, this disguise is also destined to fail and reveal his true nature as a bear. Mowgli, on the other hand, never makes use of a physical disguise and at no point does any of the animals ever cast his performances into question. I posit that this affirms, not negates, Mowgli's unique capacity for performing various animals.

It must also be recognised that there are two remaining encounters with other animals, in neither of which Mowgli mirrors said animals' natures – his encounter with the python Kaa, and his encounter with the tiger Shere Khan. Crucially, in both these encounters, Mowgli is being hunted or lured – that is, he is placed in direct danger. This must also be understood as an attribute which is unique (albeit, perhaps, in a secondary and supplementary fashion) to Mowgli within the text. Although other animals are also, at times, placed in danger by Shere Khan, such danger is an indirect one insofar as the danger arises solely from their relationship with the real target, Mowgli.

I wish to show that these two grounds – that is, Mowgli's capacity to perform various animal natures, and his status as target – are joined at root, and are not two discrete grounds of/for Mowgli's humanness. In those encounters where Mowgli comes face to face with the tiger or the python and he is placed in direct danger, he is cast in the position of *prey*. Derrida, however, draws our attention to the fact that this position of prey is a structural position of sacrifice which is societally reserved for (nonhuman) animals (1992: 18). This societal fact, that the human is that being which eats without being eaten, is founded and maintained by a complex set of unjust hierarchical relations, which Derrida coins carnophallogocentrism (ibid.). Therefore, even in those instances where Mowgli is not actively mirroring the performance of an animal, he is nevertheless cast into a passive animal state of 'being prey'.

As such, at all times within the text, Mowgli is either actively performing animality (by mirroring) or passively performing animality (by being rendered prey).

4.2. Reversal and Displacement of the Hierarchy

It has now been shown that those two attributes which sets Mowgli apart as uniquely human are both, in fact, attributes of animality. In deconstructionist terms, the implications hereof are twofold. First, Mowgli's 'humanness' is found in his ability to perform various animalities (whether active or passive). As such, his 'humanness' is no more than a sum of traces of various animalities. Hence, Mowgli is human

insofar as he is not any other animal, yet he is only human because of his ability to perform the animalities of the animals that he is not. Thus, the 'human' is constituted by the trace of the 'animal'. Mowgli, in other words, can exhibit no 'humanness' in and of himself – he can only be, or become, human in relation to the animals around him. Stated in terms of *différance*, it is therefore seen that, like meaning itself, the 'human' is not self-sufficient. Rather, through the endless play of *différance*, Mowgli's 'humanness' is always already dependent upon a differentiation from the 'animality' of the other animals; animals to whom, in turn, the meaning of such 'humanness' is always already deferred.

Second, if Mowgli's modes of being are limited to either a mirroring of animality, or performing a generalised prey-animality, then he does not have access to an authentic and non-imitative mode of being. The animals within the text, however, can and do perform their *own* natures – and hence, have access to spontaneous authentic modes of being. It is on this basis that the hierarchy which institutes the human as logos can be reversed, since the animal turns out to be more authentic than the human. Stated differently, the animal is not intelligible as a fallen, lesser imitation of the human. Rather, it is the human which is constructed from the animal, such that the animal is, in fact, the condition of possibility for the human.

As explained earlier, mere reversal is not sufficient; it is also necessary to displace the hierarchy. It is therefore argued that both the human and the animal partake in an *archi-performance*. Such an archi-performance must be understood as any mode of expressing being – that is, any mode of performing being *humanimal*. Being humanimal thus contains within itself the capacity to perform one's own nature, to mirror the nature of another, as well as to be cast in the passive role of edibility. Importantly, such a recognition also moves beyond an axiology of authenticity. Though such a notion might aid in illustrating the reversibility of the prevailing human(animal) hierarchy, its continued theoretical use and its essentialist, exclusionary, and fascistic colonial commitments are perhaps best left behind (Stillman, 2021: 164; Maddison, 2013: 295-296).

So understood, as participating in a shared humanimality, the animal can no longer be a derivative, parasitic addition to the human. Rather, both the human and the animal must now be grasped as simply two different modes of being humanimal. In this light, Mowgli's return to the 'Man-Village' also no longer marks the symbolic triumph of the human over the animal. Rather, the move marks an opportunity for Mowgli to learn how to spontaneously – that is, animalistically – be human, and hence troubles any neat human/animal divide altogether.

4.3. Implications

The deconstruction of the human(animal) hierarchy within the text has both ethical and theoretical implications beyond the text. Ethically, once such a deconstruction renders the distinction between the human and the animal unstable and porous, we can no longer categorically exclude the animal as a subject within the realm of ethics. This demands of our ethical theories to "reckon with the human-in-the-animal and the animal-in-the-human", and since "[t]he human and the animal can no longer stand in opposition to each other [...] the superiority of the former cannot be justified on the inferiority of the latter" (Vrba, 2006: 89).

Such a reckoning offers to bring about a fundamental change to our moral and political discourses insofar as our normative orientation would shift away from "ethical extensionism" towards "ethical contractionism" (Acampora, 2006: 5). Post-anthropocentric ethical contractionism, in other words, would shift the burden off of those who seek to *join and include* animals in normative deliberation, and onto those who would seek to bifurcate the humanimal in order to *excise and exclude* animals from ethico-political consideration. Thus, as Acampora puts it, it is not the movement toward inclusion and consideration, but rather "the movement toward dissociation and nonaffiliation that needs to be justified against a background of

relatedness and interconnectivity" (Acampora, 2006: 5). The deconstruction of the human(animal) hierarchy therefore implores us to interrogate the ways in which our current normative frameworks are preconfigured to uphold, justify, and conceal the unjust domination of animals.

Theoretically, such a deconstruction shows that the categories of 'human' and 'animal' are not neatly divisible, but constituted by *différance*, and mutually infecting and affecting trace. This recognition can entail nothing short of a total reconsideration of what it means to consider ourselves 'human'. Indeed, in light of the aforementioned discussion of *The Jungle Book*, the work of Nidesh Lawtoo becomes rather salient. In his recent book *Homo Mimeticus: A New Theory of Imitation*, Lawtoo seeks to develop "mimetic studies" as a new and transdisciplinary field of enquiry which would revolve around the "realization that humans are imitative animals" (2022a: 12-14). Through a reclamation of the ancient Greek concept of *mimesis* – "hastily translated as imitation or representation" – Lawtoo works to reframe and re-evaluate the ontological, epistemological, and ethical significance of being 'human' inasmuch as mimesis "reveals the anthropological, psychological, sociological, biological, neurological, and ontological foundations of an eminently relational species that perhaps prematurely designated itself as *Homo sapiens sapiens*" (2022b: 2).

Shifting our self-understanding away from that of *Homo sapiens sapiens* and towards that of *Homo mimeticus* would entail an abandonment of modernist idea(l)s of transcendence, autonomy, originality, and mastery. To recognise ourselves as fundamentally mimetic creatures – as always already in relation to the nonhuman world which surrounds us – is first and foremost a matter of existential humility, of reckoning with our inescapable finitude. Thus, for Lawtoo, to be human *qua Homo mimeticus* is to confront, unfailingly, our "all too mimetic condition vulnerable to nonhuman agents that had tended to remain in the shadows but always haunted the myth of an autonomous, self-sufficient, and purely rational *Homo sapiens sapiens*" (2022b: 4). So understood, Mowgli comfortably aligns with a conception of *Homo mimeticus* – he is a literary exemplar, even, of a new imitative, vulnerable and relational 'human'. Far from being relegated to the annals of the Disney archive, *The Jungle Book* thus continues to model for us "an immanent, embodied, and shared human condition on planet Earth that is constitutive of our post-literary, digitised and increasingly precarious lives" (ibid.: 5). A deconstructive reading of the text, in other words, so destabilises our long-held views about humanity that it cannot but resound doubly and at once – both in the domain of our ethical deliberations (i.e., the formulation of a post-anthropocentric ethical contractionism) and of our theoretical scholarship (i.e., the emergence of mimetic studies).

Finally, there is an additional, and certainly more radical, theoretical implication. If the human is understood as but one possible mode of being animal, it quickly follows that any species-specific behaviour is but yet one more possible mode of being animal. The near-infinite variety of such species performances demands of us to recognise that "[t]here is no reason one should group into one and the same category monkeys, bees, snakes, dogs, horses, arthropods and microbes" – these are "radically different organisms of life" (*Jacques Derrida And The Question Of "The Animal"*, 2008). Derrida recognises that to put all nonhuman animals in one category which stand opposed to the category of the human animal is "a stupid gesture – theoretically ridiculous – and partakes in the very real violence that humans exercise towards animals" (ibid.). As such, under a recognition of the fluidity of being humanimal, the category of 'animal' ultimately dissolves into *non-sense* – not wholly 'nonsense', but certainly less sensical than our anthropocentric frameworks have thus far conceded.

5. Conclusion

This paper has thus borne witness to the deconstruction of anthropocentrism, and its constitutive human(animal) hierarchy, in Disney's *The Jungle Book*

(1967). To this end, I discussed deconstruction as a philosophical strategy which works to identify, reverse, and displace violent conceptual hierarchies. In contradistinction to a conventional reading of the text, it was seen that the human(animal) hierarchy within the text cannot be sustained and must be displaced by the recognition of an archi-performance in which both the human and the animal partake. Finally, such a recognition had two important implications. First, species boundaries are porous and shifting, and such a recognition always already undermines any attempt to establish stable and naturalised domination along species lines. This, in turn, necessitates a reorientation of both our normative deliberations and our theoretical formulations. Second, the very concept of 'animal' – as a homogenous grouping of non-human beings – comes undone inasmuch as the infinite fluidity of animal being resists nearly all rational attempts at such a gross generalisation.

Ultimately, this paper has shown that the 'human' cannot be understood as fully separable from the 'animal', if such a thing exists. It is, therefore, only through a troubling of the human/animal distinction, and by following the trail of the humanimal, that we might meaningfully intervene in prevailing norms of 'animal' subjugation, and effectively disrupt the anthropogenic violence continually inflicted upon other-than-human beings.

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Unfree and Unequal:
A Butlerian Postulation of the Violence of Homelessness

Zahlé Eloff

Abstract

In *The Force of Nonviolence* (2020), Judith Butler introduces the notions of "violence", "nonviolence", "grievability", and "vulnerability". In this paper, Butler's four notions will be applied to explain how homelessness is a kind of violence that renders certain lives more grievable than others. Unequal grievability means that if the life of a homeless person were to be lost, it would not be recognised as a loss at all. Jeremy Waldron's *Homelessness and the Issue of Freedom* (1991) is instrumental in illustrating the ungrievability of homeless persons by focusing on his distinction between private and collective property. Addressing this violence of homelessness requires nonviolent action such as banning anti-homeless architecture and working within institutional structures to create a radically egalitarian grievable environment.

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1. Introduction

In *The Force of Nonviolence* (2020), Judith Butler makes use of notions such as "violence", "nonviolence", "grievability", and "vulnerability". Butler (2020: 27) states that nonviolence is not merely the absence of violence, but a collective commitment to rerouting aggression for the purpose of freedom and equality. Nonviolence cannot happen without a commitment to a radical egalitarianism of grievability where all lives are equally valuable (ibid.: 24). Butler problematises the individualistic conception of the self to show that society must be understood as a collective for nonviolence to be comprehensible (Shafick, 2020). They problematise the radical individualism of the state of nature phantasy being taken as fact. We are not perfectly fulfilled, wholly independent, self-interested individuals from the outset, which is what the state of nature phantasy puts forth. Humans are completely interconnected and dependent on each other to live their lives (Butler, 2020: 30). Since we do not exist in a bubble of radical individualism, it must be recognised that our interconnectedness underpins the solidarity and collective action needed for the possibility of the nonviolent rerouting of violence. Only once this individualism is abandoned, can the collective prerogative of nonviolence be successful.

In this paper, I will apply Butler's ideas to homelessness to illustrate that some lives are valued more than others; some lives are unjustly less "grievable" than others. I will expand on the theory behind violence, nonviolence, grievability, and vulnerability, and apply them to the problem of homelessness. I will argue that homelessness is violent and collective action on a large scale is needed to combat this violence. I discuss different types of violence and how it relates to homelessness in the Western Cape, South Africa. I aim to show that the unequal grievability of homeless lives emphasise that we live in a society where the lives of homeless persons are less valuable than others.

Moreover, I will draw from Jeremy Waldron's *Homelessness and the Issue of Freedom* (1991), to show the ungrievability of homeless persons (as well as street persons or panhandlers) by focusing on his distinction between private and collective property. Finally, I will consider the ways in which the devaluation of homeless persons can be combatted with nonviolence. Nonviolence requires the banning of anti-homeless architecture and working within institutional structures to create an environment that is radically egalitarian in its grievability. In an equally grievable environment, everyone has access to facilities where they can exercise their basic bodily functions and human rights freely, regardless of the property that they own.

2. Grievability Framed by Violence and Nonviolence

2.1. Abandoning the Individualistic Self in the Name of Nonviolence

To understand structural and systemic violence, one must recognise that violence goes beyond the physical or dyadic encounter between two parties (Butler, 2020: 2).[1] Violence can appear more subtly in the language people use, in the legislation that is passed, and in the physical design of architecture meant to exclude. The various forms of violence overlap with and influence each other, for instance, institutional violence may involve the use of linguistic, physical, or legal violence. Institutional structures that label demonstrations which fight for freedom and equality as

[1] Throughout this paper where I refer to "institutional violence", I refer to it as a type of "structural violence". Structural violence is a type of violence that is more subtle because it takes a toll on the body by wearing it down through oppression via the structural conditions of society such as the social, economic, and political systems underpinning it. These structures are set up in a way that systemically disadvantages certain groups, which is ultimately less visible than physical violence. Physical violence being the type of violence which has the aggression of the physical "blow" between two parties attached in nature (Butler, 2020: 136-138).

violent are themselves enacting violence.[2] Misusing language to justify the existing violence that caused demonstrations in the first place is an example of institutional and linguistic violence. Furthermore, state violence emerges when these demonstrations are met with imprisonment, killing, or injury (Butler, 2020: 4).

Where there is capacity to harm others in society, there is capacity for violence. This type of violence is typically instantiated by the institutions that rule society. Acts of racism offer a clear illustration of structural and systemic violence. The use of racial slurs presents as linguistic violence, and laws promoting segregation is a form of legal violence. Any institutional instantiation of acts that Other and marginalise a community is structurally and systematically violent.

When it comes to taking down violence enacted by an institution, it is important to distinguish between the violence of the regime and the nonviolent means of checking that regime (ibid.: 19). Political institutions redirect the nonviolent action of those resisting the violence of the institution in order to justify their use of violence as a response. For example, when people of colour mobilise against racially oppressive institutions, they are met with shooting and physical brutality, as was the case for the Black Lives Matter (BLM) movement. The nonviolent protests and calls for a radically egalitarian grievability is redefined as a threat to the security of the state, which justifies the use of violence against the protesters (Butler, 2020: 24).

Violence is often considered as the only way to bring about socio-political change because combatting violence is seemingly most effective when using violence. According to this take, we are justified in using violence for self-defence or as an instrument against violent regimes (Butler, 2020: 12-13). Self-defence is often used as an example where the use of violence is justified in response to an initial violence because it implies that there is some life that is worth being defended (ibid.: 12). Using the tactic that one should use violence in retaliation for self-preservation or self-defence creates an idea that there can be an exception to the principles of nonviolence where the self can be violently protected as long as they belong to the regime that enacts violence, or rather, facetiously uses violence in the name of self-defence (ibid.: 148).

The notion of self-defence implies inequality because it suggests that there is one group that is worth being violently defended and protected from violence, while another group must experience violence.[3] Self-defence is used to validate using violence instead of nonviolence. However, self-defence is seemingly only justifiable when the life that is being defended is deemed worthy. This leads into the issue of grievability because, as Elsa Dorlin points out, only *some lives* are entitled to self-defence (ibid.: 12). I expand on grievability in section 2.2., but in short, a grievable life is a life that is recognised as valuable and one to be grieved if lost. There are some people who have more recourse to the law in that they are more likely to be believed in court. Some people are slighted by the structural and systemic failures due to there being unequal grievability when it comes to the law acting with an unequal urgency in favour of those who are more grievable. The individualistic privileging of some lives is problematic because nonviolence cannot be achieved unless this privileging is abandoned.

Butler (ibid.: 9-10) states that people refrain from behaving violently to retain personal relationships

[2] States and structural systems often claim that any acts against authority are violent but that strikes, sit-ins, boycotts, and so on, are nonviolent practises that are being painted as violent (Butler, 2020: 2-3).

[3] When institutions must defend themselves against those who are unarmed and not actively being violent, the tactic is to figure them as violent to justify why they felt threatened enough to use violence via self-defence. Being figured as violent simply means that the institutions create the imagery that they are a violent kind of person, therefore any violence levied against them is an act of self-defence (Butler, 2020: 4).

because people have an interconnectedness to each other. Butler argues that the individualistic relationship between people is a nonpoint when it comes to violence. Whether the person experiencing violence is someone in one's inner circle, or a stranger, has no relevance. If something is deemed as violent for one, why should it not apply to all? The simple answer is that the standard *should* apply to everyone. The problem with the individualistic view of the self is that it allows for an unequal grievability. Understanding society as interdependent means being concerned with justice-for-everyone, not just justice-for-me. Nonviolence is what ought to be used to eradicate violence and for this to happen, society must be understood as a whole, embedded in interdependence.

The distinction between violence and nonviolence is difficult to navigate but it must be done to reach a postulation of a radically egalitarian grievability. We must engage with it *because of* how the destructive and harmful violence can be (Butler, 2020: 148). The point of nonviolence is to take an ethical and political stance that seeks to resist the violence of the institutions in a way that will not cause more harm.

Nonviolence does not refer to some passive, unaggressive action. Rather, it is an ongoing struggle, a *force* that requires large collective action to be successful. It requires the rerouting of aggression of the violence of the regime to bring about socio-political change. Nonviolence becomes an ethical obligation because we are bound to each other. We know we can destroy the social bonds we have to each other with violence that levies the responsibility on us to refrain from doing so (ibid.). To be successful in combatting violence we need to heed the call of nonviolence which requires that institutions act and ensure that there is a radically egalitarian grievability for its constituents.

This section has shown that for nonviolence to be successful, we need to acknowledge that the individual conception of the self must be abandoned because it excludes others and instantiates the unequal valuing of some lives over others (Butler, 2020: 46). Nonviolence requires us to realise we are all interdependent[4] on everything and nothing can be more grievable or valued more than something else in a just society. It is an ongoing struggle that requires a constant critique of the institutional failure of allowing exceptions to whose lives may be defended and for whom violence may be levelled against. Henceforth, our attention must briefly turn to grievability, vulnerability, and interdependency to argue for a radically egalitarian grievability.

2.2. Ungrievability and Dependency Implies Vulnerability

Butler (2020: 28) states that there is a distinction between those whose lives are worthy of protection from violence and those whose lives are not. This distinction shows that lives worthy of protection from violence are lives that are valuable and worthy of grief or grievability. A grievable life is one that a) is worth being safeguarded or protected, b) knows that their life matters, and its loss would be conceptualised as a loss, c) is a body that is treated as able to live and thrive with minimal precarity, and d) has provisions for flourishing available (Butler, 2020: 58-59). In other words, an ungrievable life is one that is not valued and is not as worthy of the above. Consequently, the impetus for nonviolent action is radically egalitarian grievability. If all lives are seen as equally grievable by the structures and institutions that underpin society, then every life that is lost will be conceptualised as a loss (ibid.: 61).

The notion of being individual and independent from birth is simply untrue. Despite what the state of nature

[4] Butler has a psychoanalytical and social understanding of interdependency to lay the groundwork for a nonviolence informed by egalitarianism. Butler believes that violence is an attack on the social bonds that make living possible. In section 2.2., I expand on the social understanding of interdependency.

phantasy postulates, we are all born radically dependent and continue to be dependent throughout our lives. The Hobbesian state of nature phantasy depicts humans as fully developed, individualised beings from the outset. We are not shown how we became individuated within the state of nature phantasy, nor are we shown why conflict, rather than dependency or attachment, is our first passion. Due to being in conflict with each other, a social contract is formed where humans have to refrain from consuming more than they need to mutually cohabitate (Butler, 2020: 32).

Dependency is our first experience in the world, as we are born into the world as needy infants. Additionally, we remain dependent for the entirety of our lives. We are always dependent on something or someone for something or other to get on with our lives (ibid.: 40-41). Butler points to the fact that we are not only dependent on others, but we are dependent on our environment as well. We are dependent on the ground to be able to walk, we are dependent on the plants to provide oxygen, and so on. Moreover, everything else is also dependent on us. Hence, to have a world of radical equality and freedom, we need to recognise this interdependent world we are indubitably submerged in (ibid.: 43-44).

Butler states that dependency implies vulnerability, but they are not the same thing. To be vulnerable is for the thing you were dependent on to disappear. You are dependent on things to live, and when those things are taken away, you are left vulnerable (ibid.: 46). Human beings are extremely dependent on satisfying their bodily functions, like eating, sleeping, and urinating to survive. If one attempts to deprive themselves of carrying out these functions, they will do bodily harm. If one does not eat, they will become weak and starve to death. Similarly, if one does not sleep or excrete, their body will give in by fainting, or their bladder will give in. These are bodily functions we cannot control, and in order to live a healthy, flourishing life we are dependent on access to food, water, places to relieve ourselves, and places to sleep or protect ourselves from the harsh elements (Nussbaum, 1992: 222).

Being dependent is something everyone experiences, but dependency becomes problematic if one becomes vulnerable. Vulnerability would mean not having access to any of the food humans are dependent on to live or a place where one can safely carry out bodily functions. Furthermore, vulnerability extends to one not having fair recourse to the law because of their life being less grievable. Where there is more dependency and vulnerability, there is likely unequal grievability. Unequal grievability increases the need for the mobilisation of nonviolence, as the more ungrievable one is, the more likely that systemic and structural violence will impact them (Butler, 2020: 46).

3. The Ungrievability and Unfreedom of Homelessness

3.1. Grievability and Dependency: The Homed and Homeless Self

For political philosopher, Jeremy Waldron, to be homeless is to be unfree because homeless people are subjected to an extensive set of restrictions that are not imposed on *everyone* in society (Waldron, 1991: 302). In *Homelessness and the Issue of Freedom* (1991), Waldron argues that homelessness is a problem of justice that concerns freedom. He states that homelessness is itself unjust and problematic because there are some who are granted the freedom to exist on an entirely different level compared to others based on the property they keep. I find that Waldron's problematisation of prioritising one group's needs over another's links to Butler's notion of "grievability". If the rights and dignity of the homeless populous can be dismissed as an issue that is not pressing enough to retaliate against, then it is conceivable that the loss of their lives is likely to go unnoticed far more than that of the homed person. Therefore, creating an unequal grievability between the lives of homeless and homed people.

To illustrate an earlier point about grievability relating to the interconnectedness of people, imagine a scenario where your parent requires institutional

intervention, such as them being mugged. Those in power ignore their plight simply because they are deemed as a nuisance or as not worth the effort to uphold justice. If your parent experiences this non-person treatment, it would surely inspire a fit of rage. Why, then, is it appropriate to have a fit of rage in this instance and not in instances where homeless people are treated as non-persons? If the answer is because a parent has a direct relation to you, then there is clearly an inequality in the worthiness of the lives being defended (Butler, 2020: 11). In this sense, homeless lives are unarguably less valued and ungrievable because homeless people are not privy to same rage regarding how they are treated. Moreover, there is a lack of community relationships that will render the loss of a homeless life one that will be mourned by the community, which further emphasises the difference in grievability between the homed and homeless self.

In the context of homelessness, the homeless community do not fit the description of a grievable life worth safeguarding because they are already framed within a myriad of stereotypes that diminish their grievability. Homeless people are often described as "violent", "addicted", or as having a slew of mental illnesses to blame for their homelessness (Phelan, Link, Moore & Stueve, 1997: 325). Framing the homeless person in this way, not only reinforces these stereotypes, but creates grounds for people to assume that homeless people are to blame for their living situation. The danger with this is that it frames homelessness as something that does not happen to just anyone. The truth is homelessness comes about for many reasons, some of which may have to do with poor life choices. However, homelessness also arises due to natural disaster, or due to socio-economic factors like a crashing economy that forces one into poverty (ibid.: 325).

If one is in a position of extreme vulnerability, it seems that their grievability dwindles into a phantom grievability. This is because being in a vulnerable situation comes as a result of having unequal grievability. To reiterate, grievability is the idea that a life that is lost would be mourned or grieved. It would be a loss that is felt by others in society. If a life of a group that is less grievable was to be lost, the loss is not acknowledged or raged over. A grievable life is one that is believed to require safeguarding and protection from any violence, because it is a life that is seen as worthy (Butler, 2020: 58). However, Butler (ibid.: 7) acknowledges that the lives of people who are less grievable, tend to be people belonging to marginalised or minority groups. These groups tend to be the recipients of structural violence because of the lack of equal grievability.

It is worth noting, the homeless community are far more vulnerable because they do not have equal access to the things human beings are dependent on for survival. Homeless people do not have food streaming in, places to safely take refuge from the harsh elements, or spaces to literally sleep and pee within jurisdiction of the law. For this reason, there is an inequality to the dependency that a homeless person has in comparison with a homed person. Homeless people are thus the most vulnerable in society as they are dependent on things for survival that are largely unavailable specifically to them.

As dependent beings *a priori*, the inequality and unfreedom that homeless people face leaves them disproportionately vulnerable as compared to homed people. In the next section, I instantiate this claim by showing that Waldron's postulation of property rule, he makes it clear that homeless people are entirely dependent on others as well as common property to live. This level of radical dependency makes them vulnerable, which is illustrated through the fact that their ability to access a place where they can exercise their basic bodily functions is always at the mercy of others (Waldron, 1991: 299). I will now turn my attention to private and collective property rule to illustrate the unfreedom homeless people face.

3.2. Private and Collective Property Rule

Waldron (1991: 297) ties homelessness and the unfreedom thereof to property rules which are the rules according to which people have the right to in/exclude others from using certain types of property. The mere

fact that anyone may make such decisions suggests there are some who get to decide which people are *permitted* to do certain things or exist in certain places. Hence, suggesting certain opinions are valued more than others and more importantly, certain lives are valued more than others. The lives of people who permit others to occupy a space is held at a higher level of importance than those who need permission.

There are two types of property rule, according to Waldron: private property rule and collective property rule. In the former, you can point to some individual or legal person that has the power to determine who may use and exclude others from that space. The latter has no pinpointable owner and the rights to use and exclude others falls on officials acting in the name of the entire community, like the police and lawmakers (Waldron, 1991: 297).[5] Collective property rule can be split up further into state property and common property. State property is there for the entire society, but not for public use (police stations, government offices). Common property belongs to everyone, and anyone can use it without needing permission (parks, sidewalks, beaches). No one can exclude others from using common property, unless they are obstructing the collective use of that property for others (ibid.: 297-298).

To do anything – eat, sleep, or even think, one needs to do it *somewhere*. Having access to private property means having a place to just be without being dependent on anyone's permission to be there. It is important to reiterate that while *everyone* in society is dependent on state property, the public do not have access to the use of it. Hence, homed people are dependent on both private property and collective property, and have access to the use of *both* private and common property. Homeless people are entirely dependent on collective property and *only* have access to the use of common property. Moreover, the common property homeless people have access to are not without rules and regulations. Consequently, homeless people do not have the right to exist anywhere without being utterly dependent on the permissions or rules of others (Waldron, 1991: 299-300).

There are general prohibitions that apply to everyone in private and collective property, for instance: do not kill, steal, or act in harmful ways. There are prohibitions in place to make public spaces beneficial to everyone, such as not obstructing sidewalks, littering, and so on. Then, there are prohibitions on specific actions that may be performed in public: no urinating, no sleeping, and no camping. The third set of restrictions is where the example of the violence of homelessness is most prevalent. These prohibitions on specific actions have certain detrimental implications on the homeless community because they do not have private homes where they are allowed to just be, or to perform these actions (ibid.: 301). Since homeless people are home*less*, where must they perform these actions?

Moreover, to do anything and to create anything, let alone a life of quality, requires planning (Nine, 2018: 242). If homeless people have nowhere to reasonably exist without infringing on other people's sense of comfort, then how exactly should a homeless person have any manner of improving their situation? It is simple to suggest lemonade be made from lemons when one has a knife to cut the lemon and a jug to fill with lemon juice. However, if there is no knife, and no jug, there can be no lemonade. This analogy is simply putting forth that in the absence of a place to literally *think* without offending someone else's existence because they are smelly, hungry, or sleepy, how can they do anything more than satisfy immediate needs, let

[5] Note, police and lawmakers in Cape Town and Stellenbosch, South Africa, are often the people responsible for making it difficult for the homeless community to exist anywhere. The police treat the homeless as non-persons and often use physical force, while lawmakers pass laws that allow the police to enact such treatment, such as prohibitions against the presence of the homeless in the City of Cape Town. See Bradpiece (2021).

alone plan a way forward? How should one plan when their life is lived according to a meal-to-meal basis?

3.3. Homelessness Implies Unfreedom

If there are places where a person is not allowed to be without permission, they are not there freely. This in itself is not unjust. However, when there is *nowhere* else to go, then a problem of justice arises. If homeless people are restricted to having access to public spaces (common property), and they rely on the permissions of the authoritative figure at homeless shelters for a place to sleep, then it simply is the case that homeless people are unfree (Waldron, 1991: 301). Unlike homed people, homeless people do not have *anywhere* they can be where they are not at the mercy of someone else's permission. Butler points out that to be grievable we must have a right to equality and freedom. Since homeless people do not have equal access to basic freedom, it shows they are not equally grievable in society. This is because there is a deep-seated inequality in not just the general treatment of homeless people as if they do not exist as human beings, but because their access to basic needs is not met at the same level of those who fall higher on the socio-economic ladder. Butler (2020: 59) eloquently expresses the above sentiment:

> The presumption of equal grievability would be not only a conviction or attitude with which another person greets you, but a principle that organizes the social organization of health, food, shelter, employment, sexual life, and civic life.

Furthermore, everyone has basic bodily functions which are out of their control like sleeping, eating, urinating, washing, and menstruating. So, placing restrictions on specific actions in public spaces is violent towards the homeless community because they have limited access to where they may freely perform these functions. These restrictions violate their basic human right to have access to shelter, food, clean water, and to be a free person ("OHCHR Homelessness and human rights", 2021). If one cannot exercise basic bodily functions and human rights freely, then they are simply unfree (Waldron, 1991: 302).

Homeless people are also the most vulnerable in society because they are the most dependent on the environment and the mercy of others to be able to live. They are the most likely to be exposed and left deposed if restrictions are placed on public spaces, or when institutional acts are implemented without considering the implication on the homeless community. Lack of consideration of how policies implicate the homeless, precisely makes their lives less grievable because there is no safeguarding of their best interests. This ungrievability of the homeless is clear in the violent actions levelled against them on various levels.

4. The multi-layered violence of homelessness

Homelessness is violent, especially on an institutional level because it is on this level where all the other violence on homelessness is instantiated. Physical violence is instantiated through physical forced removals and anti-homeless or hostile architecture.[6] Linguistic violence is instantiated through speech acts and signs. Institutional violence occurs through social ignorance like non-person treatment and accepting harmful economic and legal practises.

In Stellenbosch, it is common to witness a security guard chasing a homeless or street person away from a shop or mall. They are excluded from using public

[6] Anti-homeless architecture refers to the way in which landscapes are designed to ward off anyone from resting in one spot for too long. It is mostly seen in spikes placed along flower beds, the slanting of benches so that a person is unable to lie down, creating uneven and uncomfortable surfaces in areas where there is shelter from the rain to thwart gathering in those areas. All these are subtle designs targeted at homeless people because homed people have places where they can seek refuge from being exhausted or exposed to the elements, homeless people do not.

spaces, illustrating the disproportionate inequality and unfreedom experienced by the homeless communities. Hostile architecture and social practices are violent against everyone, but it especially affects the homeless communities because it threatens what they are utterly dependent on to live. Consider the following scenario, Sally goes shopping for a long day, but the benches in the malls were removed making it inconvenient for Sally to rest momentarily. Sally has two options: either they go home or to a coffee shop, where they may have to pay to sit. Now, homed persons have somewhere to go, or they can afford to pay to sit. However, the homeless community only have public spaces where they can retreat to. The implementation of hostile architecture as well as social practices like needing to pay to use the bathroom, or to sit down, makes it more challenging for the homeless community to freely exist.

Furthermore, it is almost impossible for a homeless person to exercise their bodily functions and human rights. There are hardly any sanitary ablution blocks that are maintained for the homeless to be able to wash, and there are very few benches or low walls that have not been altered to dissuade the homeless from resting there. Many areas in front of businesses, under bridges, or on walls have been decorated with spikes or rocks to make it uncomfortable and uninviting for people to convene there. For many, this is not a problem because when the weather is poor, or when they are tired, they can just find refuge in their own homes. However, the homeless do not have this option.

Perhaps, we should consider that they should go to homeless shelters, but a lot of the time these spaces are dangerous and homeless people face being assaulted by either the people running the shelters or sometimes others occupying the shelters (Brighten the Corner, 2023). If it is the case that there are acceptable shelters, they are not open for daytime use and the sheer number of homeless people by far surpass the number of beds available in shelters (Waldron, 1991: 300). The Western Cape Government reported that there were 14 000 homeless people in Cape Town in May 2023, yet only 3500 beds in the City's shelters (Western Cape Government For You, 2023). This shows how steps are not taken at an institutional level to ensure the basic rights of everyone in society are met.

It is worth noting that the failure of institutions to ensure that viable ablution blocks, soup kitchens, and emergency shelter are available to those in a vulnerable position of dire need is unacceptable. This state of affairs can be directly linked to the prevailing beliefs of neoliberal capitalism. Jobe (1999: 410) criticises the idea that the only reason one could be in a situation of precarious vulnerability is due to "[them having] no desire … to change their lifestyles and do better" since they have become dependent on the State. This view not only ignorantly neglects the fact that people come to be in positions of vulnerability for reasons that surpass moral failure, but it further instigates the governmental defunding of social services that have the potential to offer long-term solutions to the problem. The neoliberal logic of defunding the institutional systems that offer temporary support for these living situations does not mitigate the social and economic consequences of homelessness. Rather, it further creates a situation of vulnerability that results in dependency on the State which prevents the ability to permanently escape homelessness (Naidoo, 2020: 87).

Other forms of violence include signs that prohibit loitering, sleeping, or sitting. Telling homeless people to 'get a job and contribute to society' is a form of verbal violence. How can any of those things be done when you need to have access to ablution blocks, transport, being well-rested, and so on, to be presentable enough to qualify for an interview? What about the stereotyping of the homeless as criminal? Where neighbourhood watches or residents in urban areas phone the police on a 'suspect' looking character – typically a

male person of colour.[7] These are all steps taken to try and get the homeless presence away because it is a nuisance and uncomfortable. However, the bigger problem is that we need to eradicate homelessness, not merely the presence of homeless people in certain spaces (De Beer & Vally, 2021: 21).

Finally, the actions and legislation that allow for the Othering of the homeless community is violent. The confiscating of tents, and arresting people who are found sleeping in the city, is abominable (Bradpiece, 2021). Considering there is a lack of beds, where must homeless people sleep? Where do they have the right to exist? The short of it, is they have minimal rights, and they are unfree. It is at this institutional level that homelessness is most violent because there is little intervention against trying to temporarily be rid of the problem. It is at an institutional level where there must be large collective action to ensure that all lives in a society are grievable. As it stands, homeless people are not grievable, they are not safeguarded and their lives, if lost, would not be conceptualised as a loss.

Nonviolent measures, informed and guided by radically egalitarian grievability, are necessary to eradicate the violence of homelessness. These measures include banning of anti-homeless architecture, and working within institutional structures to eradicate the inequality that is prevalent in the homeless community. Collective action on a grand scale in order to minimise the number of persons who are homeless is needed, like genuinely implementing projects such as the "Housing First Project". This is where the aim is to ensure that everyone has adequate shelter, regardless of their addictions or the economic contributions they can make. By ensuring the stability of knowing there is a fixed place to sleep, it makes combatting addiction or other areas of issue more realistic and attainable (Mahboob, 2020). There are places like Finland where homelessness is at an all-time low, merely because emphasis was placed on securing the basic rights of humans to have shelter, food, and water for hygiene and drinking (ibid.).

It is at this level where homeless lives are brought to an equal grievability. This prioritising of homeless lives is a good example of using nonviolence against institutional structures to bring about a radical egalitarian grievability. Therefore, making all lives equally grievable. By taking collective nonviolent action, it allows for the reframing of how homelessness is perceived. I mentioned elsewhere in this article that homelessness is framed in a way that places blame on the persons in that living situation. However, by bringing everyone to a level of equal grievability, and in turn, equal value in the eyes of society, homelessness can be destigmatised. The de-stigmatisation of homelessness will allow people to conceive of homelessness as something that is not a moral failure, nor as a result of harmful stereotypes like substance abuse or criminal activity. Finally, bringing everyone to a level of equal grievability allows us to recognise the Other and have empathy for their positions of vulnerability because we will recognise that their lives are equally worth being safeguarded and protected (Butler, 2020: 138). Everyone ought to be free from being subjected to violence, and this is what an equal grievability demands.

5. Conclusion

The above essay illustrated that there is a violence to homelessness by using South Africa as an example. I drew from Butler and Waldron to show that homeless lives are entirely unfree and ungrievable. I illustrated that there were multiple ways in which homelessness

[7] On this point, there is an underlying assumption that the lives of non-white people are more dangerous or criminal, and thereby less grievable. Historically, some lives have been seen *as lives worth preserving*, while others were (and continue to be) unrecognised as a life at all. This is due to the "historic-racial schema" that has dehumanised and Othered non-white individuals as a societal nuisance (Butler, 2020: 112).

is violent, and that nonviolence is a promising way to combat the issue. I discussed how the different types of violence relates to homelessness and showed that the inequality of grievability emphasises that the lives of homeless persons are less valuable than others. The importance of abandoning the individualistic view of the self in favour of a collective interdependence for the force of nonviolence was shown. Furthermore, the distinction between private and collective property displayed the inequality and ungrievability of the homeless as they have no place where they can exercise their bodily functions and human rights freely. Finally, I briefly postulated that nonviolence is needed to overcome this violence by working within institutional structures, taking up the "Housing First" approach, and banning hostile architecture, to create an equally grievable environment where people have access to shelter and facilities to exercise their basic bodily functions and human rights freely.

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Deceiving Someone into Having Sex

Shirah Theron

Abstract

This paper aims to provide an in-depth examination of the fundamental elements of rape, specifically focusing on intention and consent, within the context of "deceiving someone into having sex". The analysis will involve exploring model cases and scrutinising the intentions of both the deceiver and the deceived in relation to consent. Through conceptual analysis, the concept of "deceiving someone into having sex" will be clarified, drawing insights from typical applications of this concept. Additionally, this paper will critically evaluate the main arguments against these conceptualisations of "deceiving someone into having sex". This is done to demonstrate the flaws that undermine these arguments, thus highlighting the insufficiency of these approaches in fully discrediting the concept. Moreover, it will be argued that deceiving someone into having sex can be regarded as a form of coercion, and thus rape, aligning with the established criteria for identifying rape cases. In conclusion, this paper argues that the conception of "deceiving someone into having sex" as a form of rape challenges the narrow framework through which we traditionally understand rape, necessitating the recognition that the scope of the concept of rape extends beyond our previous limits.

About the author

Shirah Theron graduated with *cum laude* for her Philosophy MA thesis, titled "Pornography Conceptualised as an Addictive Substance". She now delves into her doctoral dissertation, "Good Sex and Bad Sex: Investigating the Moral Epistemology of Sex Online". Shirah's primary research revolves around sexual ethics and the philosophy of sex, with an eagerness to explore intersections with psychology and sexology. In addition to her academic pursuits, for the past two years, Shirah proudly served as the President of the philosophy department's Socratic Society and as the Editor-in-Chief of the Stellenbosch Socratic Journal. Beyond academia, Shirah advocates for positive change in her community, advocating for Krav Maga techniques for self-defence with a collaborative ethos: "We work together to empower each other". This reflects her broader commitment to community well-being. And, lest we forget, amidst her academic and community endeavours, Shirah remains an unabashed cat enthusiast.

1. Introduction

The way we conceptualise the act of rape has an extensive history. Hilkje Charlotte Hänel opens her introduction of *What is Rape?* by stating: "Rape is not a new phenomenon. In fact, it is probably as old as the first human beings who walked this earth" (2018: 9). Rape has been described in various ways, such as forced sex, coerced sex, and non-consensual sex. The act of rape serves as an archetypal example of consent violation, where it pertains to the act of engaging in sexual penetration without the explicit consent of the individual involved (Bryden, 2000; Plaut, 2006; Danaher, 2018). This paper views rape as a violent act that does not require physical force, (physical) resistance from the victim, nor the use of a weapon (Easteal, 2011) – which is in agreement with South African law.[1] The concepts of intent and non-consent appear to be key factors in identifying a case of rape. In academic literature, however, there does exist some difficulty in conceptualising sexual consent. Theories of consent present a range of conceptions, from giving sexual consent explicitly, voluntarily, and affirmatively, to giving consent non-verbally (Dougherty, 2015: 224–253). Louise du Toit highlights that "[i]n no other crime does the response of the victim play *such* a large role in the very definition of the crime" (2007: 61, own emphasis). Ultimately, it is the act of consent that makes some actions permissible that would otherwise be impermissible (Dougherty, 2013: 722). Du Toit further asks us to "imagine that one's response to being robbed or hijacked during the very event could plausibly be considered a decisive factor in determining whether the crime has actually transpired" (ibid.). Evidently, the victim's response and status of consent far outweigh other factors in distinguishing between sex and rape, as the intent of the rapist to rape does not give us enough information to make a case of rape.

In contemporary discourse on sexual ethics and consent, the complex and multifaceted nature of human interactions has given rise to a spectrum of perspectives, each grappling with the boundaries and definitions of consent, coercion, and the implications of deception in sexual encounters. Firstly, I examine the intricate dynamics of consent within the context of explicit agreements and desires, and assert that any level of intentional deception that leads to invalid sexual consent cannot be justified. This argument prompts us to question the role of deception in matters of sexual autonomy and the extent to which detailed conditions can be imposed for consent. Secondly, I introduce the notion of weak and strong dealbreakers in sexual consent, shedding light on cases where consent remains valid despite the presence of certain undisclosed information. It invites us to explore the distinction between regretting granted consent and having one's consent invalidated through deception. Thirdly, I discuss some of the complexities of implicit consent, drawing parallels with non-sexual scenarios where individuals implicitly accept a range of potential outcomes. Lastly, I challenge conventional definitions of rape by extending the concept to include sex-by-deception, contending that deceiving someone into having sex is a form of coerced sex and should be considered a form of rape.

2. What does it mean to be deceived into having sex?

Deceiving someone into having sex involves intentional deception, disrespecting their sexual choices, and thus disregarding their sexual autonomy. Sexual

[1] In South African criminal law, a distinction is further made between rape and compelled rape. It states that, "[a]ny person ("A") who unlawfully and intentionally commits an act of sexual penetration with a complainant ("B"), without the consent of B, is guilty of the offence of rape" while compelled rape is defined as, "[a]ny person ("A") who unlawfully and intentionally compels a third person ("C"), without the consent of C, to commit an act of sexual penetration with a complainant ("B"), without the consent of B, is guilty of the offence of compelled rape" (2007: 20).

autonomy is the capacity for "individuals to act freely on their own unconstrained conception of what their bodies and their sexual capacities are for" (Schulhofer, 1992: 70). That is to say that it is up to each individual to determine which features of a sexual encounter are particularly important to them or not, as well as which sexual activities they want to engage in or not. "Deceiving someone into having sex" relies on a number of different constitutive concepts for its meaning. To elaborate this meaning clearly, the concepts of sexual consent, the intention to deceive, and the intention to consent need to be understood first.

There is an ongoing debate within academic literature regarding the agreed-upon criteria for determining what qualifies as sexual consent, as it can include giving sexual consent explicitly, voluntarily, affirmatively and/or non-verbally (Dougherty, 2015). However, most have agreed that the voluntariness of consent is non-negotiable. An act of consent is valid *only* if it is "properly voluntary" (Manson, 2017: 418), meaning that consent granted under duress or via coercion is not valid consent. Alan Soble examines the adequacy of sexual consent by drawing upon the concept of free and informed consent (2022: 1–3). His contention revolves around the idea that adhering to the principle of free and informed consent necessitates that "each individual understands their own motivations for engaging in a sexual encounter and comprehends the motivations of the other party or parties involved" (ibid.: 8). He emphasises the significance of self-reflection regarding our reasons for desiring sexual engagement with another person. Thus, the implication is that when one grants valid consent one must also have *intended* to consent – the notions of consent and intent go hand-in-hand. We could then say that, to intend consent, it must be granted (in the least) voluntarily.

The intention to consent can be reflected upon as something we presently wish to do, or did in the past.[2] For instance, we can declare our present intent to consent to our partner touching our shoulders, and we can also affirm that we had intended to consent to such an action yesterday when we granted our consent at that time. In both scenarios, our act of granting consent is marked by intentionality and voluntary choice. However, if our partner were to deceive us to secure our consent, our initial intention to consent remains unchanged. This intention remains intact precisely because we are unaware of the deceptive tactics employed by our partner during the consent-granting process. This notion complicates the conceptualisation of "intending consent" elaborated previously. In such a scenario, the intention to consent is there, but the consent granted cannot be valid, since it is grounded in deception. It is important to note that in the case of being deceived into having sex and afterwards becoming aware of the deception, the consent is not "withdrawn" as in some cases as explained by Tom Dougherty (2014). Rather, the consent was invalid to begin with, as consent would not have been granted if they were aware of the deception (consent was thus not "properly voluntary"). It is *this* unawareness that allows for the consent to be intentional yet invalid.

It is crucial to understand what sexual consent is to understand what it means to deceive someone into having sex. This is, I argue, because the concept is to be understood as "deceiving someone into having *consensual* sex". Once we become aware that the sex referred to in this concept is (supposedly) consensual sex, we start to realise that the concept of deception and using that deception to gain valid consent is mutually exclusive. In other words, the idea of deceiving someone into having consensual sex implies a

[2] To speak of a future situation and say that 'I will intend to consent', almost as some kind of promise of consent, brings about its own fair share of issues (Dougherty, 2013: 717–744, 2014: 25–40).

contradiction, as consent and deception are fundamentally incompatible in this context. The intent to deceive, on the other hand, requires that the deceiver be *aware* that the deception would result in the deceived granting consent. The deceiver knows that they are deceiving to receive the consent. The deception could even result in the deceived believing that they themselves wanted to do nothing but grant their consent.

3. Discussing model cases of sex-by-deception

One can say that someone is deceived into having sex when the "deception conceals a feature of the sexual encounter that makes a decisive difference to the victim's decision to have sex" (Dougherty, 2013: 731). Dougherty's argument in *Sex, Lies, and Consent* concerns the moral scope of consent (the extent to which the consent is granted – to whom, to which environment and setting, to which actions, and so on) induced by deception. The best way to understand what sex-by-deception looks like is to consider various examples of such an instance. I present three model cases below.

> *Dealbreaker*: A man has been convicted of rape after having sex with a woman who had believed him to be a fellow Jew.[3] According to her understanding at the time, she agreed to having sex with him because he led her to believe that he was also Jewish and interested in a long-term relationship, just like her. If she knew that he lied at the time, she would not have agreed to have sex with him.
>
> *Dr Feelgood:* A man impersonates a doctor and tells a female patient over the phone that her blood test results show she has contracted a dangerous, extremely infectious, and possibly deadly disease. He tells her that she has two options: an extremely painful and expensive surgical procedure that her medical aid will not cover, or to have sex with an anonymous donor who would administer a cure through sexual intercourse with her. The female patient agrees to the sexual intercourse, the man arrives as the "anonymous donor", and she agrees to have sex with him because she believes (falsely) that her life was threatened if she did not receive this "treatment". The man uses no physical force.
>
> *Stealthing:* Matt arranges a meeting with a fellow Grindr[4]-user for casual sex. They agreed to have safe sex – with a condom. However, because of the sexual position they engage in, Matt could not confirm that a condom was used. The man takes out a condom but does not use it when proceeding with penetration. If Matt knew that the man was not wearing a condom, he would not have agreed to have sex with him.

All three of these are examples of deceiving[5] someone into having sex. All three of these examples are also cases that actually took place. In *Dealbreaker*, the man was sentenced to 18 months in prison (Adetunji &

[3] Interfaith marriage within Judaism, often referred to as mixed marriage or intermarriage, has historically faced significant disapproval from Jewish leaders. This sentiment persists as a contentious issue today. Traditionally, many Jews adhered to the Talmud and the resulting Jewish law, Halakha. According to Halakha, the marriage between a Jew and a non-Jew is both prohibited and considered void under Jewish law. The various movements within Judaism hold differing perspectives on the definition of a Jew, influencing their stance on interfaith marriages. In contrast to Reform Judaism, the Orthodox stream does not recognise an individual as Jewish whose mother is not Jewish or a convert whose conversion does not adhere to classical Jewish law (Kohler & Jacobs, 2021).

[4] Grindr is an application designed for social networking and online dating, utilising location-based features, and specifically catering to the gay, bisexual, and transgender community ("About Grindr", 2023).

[5] I wish to note that lying by omission is also a form of deception. However, this would be a more nuanced case of deceiving someone into having sex and lies beyond the scope of this paper.

Sherwood, 2010); *Dr Feelgood* had allegedly persuaded more than 7 women to have sex with him as the "anonymous donor" (Blau, 1987); and Matt tested positive for HIV after *Stealthing* occurred (Strudwick, 2016). Dougherty argues that when someone is deceived into having sex, the deception vitiates the victim's sexual consent (2013: 740). Each case contained apparently-valid consensual sex at the time of the event, but the consent was obtained via deception – making the consent invalid.

To summarise, Dougherty formulates his moral argument against sex-by-deception as follows (2013: 720):

1. Having sex with someone, while lacking their morally valid consent, is seriously wrong.
2. Deceiving another person into having sex involves having sex with that person, while lacking their morally valid consent.
3. Therefore, deceiving someone into having sex is seriously wrong.

This argument is rather straightforward and relies on the principles, firstly, of non-consensual sex being seriously wrong and, secondly, that someone does not properly consent when deceived into having sex. More complex considerations arise when one attempts to determine whether *all* deception that leads to sex lacking valid consent is equally seriously wrong. [6] Dougherty reviews the academic literature in this regard, stating that the "lenient thesis" proposes that it is "only a *minor* wrong to deceive another person into sex by misleading her or him about certain personal features such as natural hair colour, occupation, or romantic intentions" (ibid.: 718). According to this lenient thesis, *Dealbreaker* thus contains a minor wrong – when the deceiver lied about wanting a long-term relationship. However, lying about one's religious affiliation falls outside of the scope of characteristics allowed by the lenient thesis. The lenient thesis, I argue, also undermines our sexual autonomy. Who are we to decide which features of a potential sexual act and/or partner are to be considered as "real" dealbreakers on behalf of anyone else? [7] Dougherty also adds that the idea that certain aspects of a sexual experience are morally more paramount than others, is problematic, because it separates the core components from peripheral components of a sexual encounter in a way that may not represent the beliefs and preferences of each individual party (ibid.: 729). Such differentiation of sexual components typically relies on "religious, social, and historical conceptions of what is important about sex" (Liberto, 2017: 138).

Of course, it is possible to consider the potential desire of wanting to be deceived in the name of the "magic of romance". One might also wish to put their "best foot forward" on a first date to impress the other party through misleading statements. Even those in settled relationships do not always approve of the way that they would react to certain truths about their partners – perhaps out of jealousy or insecurity. The deceptions sometimes considered appropriate while looking for sexual partners are deceptions related to the interests believed to be at stake when and how one looks for potential partners. Elements such as physical desire, creating a type of closeness, establishing a sense of value, and forming stable emotional relationships are all obvious choices for those interests. In some cases,

[6] I wish to point out that I agree with Dougherty, that "the serious wrong here is the non-consensual sex [induced by the deception], rather than the deception in itself" (2013: 740). Hallie Liberto, on the other hand, notes that, "it is important to remember that not all that is wrong with sex has to do with consent. Sometimes lying or misleading someone into a sexual scenario is wrong for the rich and varied reasons for which deception is often wrong" (2017: 140). I agree that Liberto makes a valid point, and I too do not deny the wrongness of the deception-element in sex-by-deception.

[7] We can imagine that Person B deceiving Person A about their religious affiliation undermines Person A's consent, just as in Dealbreaker. However, we can also think that Person B deceiving Person A about having attended Harvard does not undermine Person A's consent. Yet, it might matter just as much to Person A that Person B attended Harvard than that they follow a specific religion.

intimacy might not even be attainable without some level of insincerity due to the desire to avoid the vulnerability it may involve. One cannot choose how a sexual partner responds to a sexual encounter, and we may, as Robert Jubb argues, "reasonably want to secure ourselves against certain kinds of response" (2017: 229). Given this, it may be preferable for some that a partner lie to not incite certain reactions in them. Despite these points, however, I again agree with Dougherty that they do *not* legitimise deceiving someone into having sex and that the "possible benefits of romance and relationships would *not* justify having non-consensual sex with someone" (2013: 740). In other words, while there might be various motivations for deception in relationships, including a desire to avoid negative reactions or vulnerability, I maintain that these do not excuse engaging in sexual acts without valid consent.

Furthermore, Dougherty points out that we have rights over our persons and our property, and we can "waive specific rights against particular interactions with particular individuals" (2013: 734). He then puts forward the "intentions thesis", which is: "The rights that we waive are the rights that we *intend* to waive" (ibid.: own emphasis). We all have personal realms where our choices determine precisely what is permissible within these realms. This is why we can say that our rights are intimately linked to our autonomy and agency (ibid.). This creates responsibilities for others to respect our will – they must respect our decisions about what happens in our personal realms. If our decisions are to determine as much as possible about the admissibility of the actions of others from our personal realms, then the rights we give up must be the rights we *intend* to give up (ibid.: 735). In other words, Dougherty's argument underscores the connection between our rights and our autonomy, emphasising that when we waive specific rights, it is a deliberate choice related to our personal realms where we want to determine what is permissible. This, in turn, places a responsibility on others to respect our decisions within these realms.

Now that we have a clear understanding of sex-by-deception, which involves intentionally misleading or manipulating someone to obtain their sexual consent under false pretences or without their full awareness, thus rendering their consent invalid, I will proceed to the next section. In this upcoming section, I will critically evaluate Dougherty's conceptual framework and analyse both cases that align with his concept of deceiving someone into having sex and cases that, according to Dougherty's description, might not typically be seen as instances of sex-by-deception.

4. Expanding on the main arguments against the conceptualisation of "deceiving someone into having sex"

I now discuss some of the main arguments posited against the conceptualisation of "deceiving someone into having sex" described in the previous section. I respond to each of them individually to establish that these arguments have a number of flaws that render them insufficient to fully undermine the coherency of the concept of deceiving someone into having sex – and that this concept deserves our continued focus. As previously mentioned, after Dougherty's article was published in 2013, various papers were produced with the focus of critiquing his conceptualisation of sex-by-deception, and what the consequences of such a concept would be. I will divide these arguments and cases into separate sections below.

4.1 Conditions too detailed for consent

The first case made against Dougherty's argument that I will discuss here, is one stating that he demands too much and sets an excessively high standard by emphasising the significance of the specific conditions under which valid consent would be given. Jubb asks us to imagine a scenario where a landlord demands that his tenants sing in the shower every morning (2017: 227–228). He argues that, if the tenants were to lie about whether they actually will sing in the shower in order to rent the property, this deception is not wronging the landlord in any way – even when the landlord

could technically refuse to rent them the property if they did not promise to sing, just as Matt would not have consented to have sex with the man in *Stealthing*. Jubb argues that it is thus clear that "deception about a deal-breaker is not always as important as Dougherty thinks" (Jubb, 2017: 227).

Even though this is an intriguing case, I argue that deceiving someone into granting sexual consent is different because it allows the individual the right to stipulate any list of conditions, regardless of how fine the detail: "Individuals should, in light of their own conception of the sexual good, be able to place whatever conditions they like on their sexual consent" (Chadha, 2021: 337). This is, I argue, because sexual consent is explicitly and directly related to bodily autonomy. So, if a person would only consent to having sex with Brian while he wears a cowboy hat and Crocs, it is for Brian to decide whether he feels like wearing a cowboy hat and Crocs and engage in sex with that person. Of course, the more demanding the list of conditions, the less likely Brian will agree to consent to them in return. This is what may set sexual consent apart from just any other kind of consent and thereby defines sexual autonomy. It therefore still stands that any level of intentional deception that leads to invalid sexual consent does not legitimise such deception.

4.2 Weak and strong dealbreakers

Another interesting case is brought forward by Neil Manson. He conceptualises a difference between weak and strong dealbreakers. Weak dealbreakers are dealbreakers that are not held so strongly that they cannot be set aside when sufficiently motivated. Consider, for example, Person A who does not want to have sex with anyone who is over the age of 45. Person B is aware of this and changes their appearance to look younger. Suppose now that Person A finds Person B attractive, sexy, and even witty, and willingly consents to have sex with Person B. Person B then tells Person A their real age, but Person A simply expresses, "Who knew? Not all old people are monsters!" (Manson, 2017: 419). A strong dealbreaker would be like any of the examples *Dealbreaker*, *Dr Feelgood* or *Stealthing*. In these examples of strong dealbreakers, the consenter would 'never in a million years' grant their consent under *any* circumstances if they had known all the information. Manson goes on to further explain that "[t]here is nothing incoherent about the idea of valid consent that we *regret* with the benefit of hindsight…" and that, "[i]n such cases our consent does render others' actions permissible even though *we would not* have consented had we known of the relevant fact" (ibid.: 424).

I put forward that Manson's argument about weak and strong dealbreakers fails for one very simple reason. The first case he suggests (where Person A's consent remains valid) is a case where, by the end of the scenario, there is *no* dealbreaker.[8] Person B did, however, still deceive Person A, which remains morally questionable. This is a (rare) example of a case where Person A's consent remains intact, since the content of the lie made no difference as to whether Person A would have consented to having sex or not. This case therefore does not present a dealbreaker that would cause the consent to be invalidated. However, it is important to note that this could only be determined retrospectively *after* Person A expresses their acceptance of Person B's true age. Furthermore, I wish to point out that there is a difference between regretting that consent was granted and reflecting upon the consent given and knowing or stating that one would not have given consent if one knew x, y and z. Regretting consent implies the acknowledgment that consent *was* provided at the specific moment, and the regret stems from the present wish that consent had not been given, without any additional information (that was

[8] For clarity, even though this specific case contains no dealbreaker, a case of statutory rape (where one of the individuals is below the legal age of consent) cannot be justified with this same line of reasoning and therefore remains morally impermissible and illegal.

previously lacking) surfacing to justify this feeling of regret. This does not include the invalidation of consent based on deception. In other words, regretting that consent was granted does not necessarily make the consent invalid, but being deceived into granting consent does. Of course, one can be deceived into granting sexual consent (making the consent invalid) *and* feel regret. In the scenario of only *regretting* that consent was granted, it is usually a case that the information surrounding the scenario that did not change (i.e., one was not intentionally deceived), but rather that one's attitude towards the information changed – for whatever reason.

4.3 The case of implicit consent

Next, I set out examples of general critique found in literature discussing cases of explicit and implicit consent. To better understand cases of implicit consent, David Boonin offers the example of a man leaving a tip for the waiter at a restaurant (2002: 155–156). This man never explicitly communicates his consent to the waiter taking his money, but does not need do so to grant consent to the waiter taking his money. In this way, Boonin argues that consent can be given implicitly. However, it is crucial to note that both Boonin and Dougherty agree that, for implicit consent to be valid, it must be the case that, if the consenter is asked, they would agree about whether they had meant to allow all the particular events that took place. Dougherty uses the example of going for a haircut (2013: 735). The argument goes that, when we consent to a haircut, we implicitly consent to another person touching our heads, ears, shoulders, and necks – despite not explicitly granting consent to the hairdresser to do any of this. We end up granting consent to any of a variety of methods by which the hairdresser could reasonably go about cutting our hair, as long as the end-product is more or less what we agreed upon. Liberto states that, if she would be asked whether she gave consent to the hairdresser to clip around her left ear before cutting her bangs, she would say yes (2017: 129). In such a case, Liberto consented to all these events without explicitly stating so. However, her granting consent does not automatically mean that she even considered for a moment in which order the hairdresser would cut sections of her hair. What matters, according to Liberto, is that *if she had known* which method the hairdresser would use, she *would still* have granted consent to it.

While the example of the hairdresser is somewhat compelling, I put forward that an argument for implicit *sexual* consent would result in *assumed* sexual consent – causing an ethical and legal slippery slope. A "yes" can only be a valid yes if "no" was an option. How can we then assume that "no" was an option on behalf of someone else? Can we really assume someone else's status of consent on their behalf? In most cases, to avoid harm, we need consent to be affirmative and explicit. The assumption of implied consent, particularly in cases where consent is assumed and it is unclear if a "no" was possible, cannot escape the risk of invalid consent. Nevertheless, while it is possible that we (more often than not) grant sexual consent based on our own assumptions and subjective perspective, deceiving someone into having sex relies on the *intentional* deceit of the other person, rendering the sexual consent invalid, as the deceived party would not have consented if they *knew* they were being deceived into giving consent.

4.4 Consenting to gambles

Liberto offers another intriguing case: consenting to a gamble – where one gives consent without knowing (with certainty) what the outcome will be. She uses the example of possibly falling pregnant after having sex (2017: 132): Consider, A has sex with B, knowing that there is a small chance that she might get pregnant. The sex that she has with B is sex that gets A pregnant. If she had known that the sex would involve impregnation, then A would not have agreed to have sex. However, she consents to the gamble – though not to the impregnation. In this way, A has sex that involves a feature that counts as a dealbreaker for her. Yet, A has still consented to the sex.

Liberto argues that when we agree to certain activities, purchases, or other people's behaviour, we usually do

not rule out a wide variety of possibilities for what may be involved in that to which we consent (as with the hairdresser example from Dougherty). Even though we may not examine all the potential outcomes, Liberto argues that such detailed examination is not a requirement for consenting to a gamble (2017: 132). After all, the woman who consents to intercourse and becomes pregnant may never have even contemplated the prospect of falling pregnant in the first place. In other words, Liberto posits that it is enough to know that *if* the woman had examined all the potential outcomes, pregnancy would have reasonably been one of them. Furthermore, Liberto also points out that, "[c]onsenting to gambles does not mean consenting to *all* possibilities – but just those we have *not ruled out*" (ibid.: 132-133, own emphasis). For example, if someone were to give us information and we believe them, that means that we rule out all those possibilities in the realm of potential outcomes that are contradicted by the information given. That is to say that, in this case, we do not consent to a gamble that involves the set of information that has been ruled out.

With regards to Liberto's example of consenting to having sex that involves a gamble[9] of becoming pregnant, I propose more avenues to consider: Suppose that A would not consent to having sex with B without some form of birth control, one could still argue that there remains a 1-2% chance of falling pregnant when using contraceptive methods. Are we then to consider *that* a gamble as well? This question might show that some gambles are greater than others, and that we have to analyse them on a case-by-case basis. Moreover, I would have to argue that Liberto's reasoning on what we have ruled out from the realm of potential outcomes and what we consent to does not consider all practical examples. Consider this case: A is a young adult who posts photos of herself to a public social media platform. She would "never in a million years" consent to some serial killer viewing her photos online, but that potential outcome remains every time she uploads a picture. However, according to Liberto, when we consent to a gamble, we consent to the possibilities we have not ruled out. A has not (and could not) rule out the possibility that a serial killer might view her photos online. Nevertheless, if A would be asked whether she consents to such, she would fully deny it. And I would maintain that it is not possible to consent to a certain act or event without intending to do so – even if it is a gamble.

4.5 Consent as the intention to waive rights

Recall Dougherty's intentions thesis which states that, when we waive a right, we intend to waive that right. Similarly, when we consent, we intend to grant consent. A particular act of sexual consent can waive some sexual rights and not others. For example, via sexual consent Sam might waive her right against Mike engaging in vaginal sex with her but retain her right against Mike engaging in anal sex with her (Liberto, 2017: 128). Liberto makes the controversial argument that instances where we attempt to include information that pertains to another person's exclusive realm of personal rights into the description of our own right, it is an act of "over-reaching" and fails to actually describe the moral right we hold (ibid.: 137). She explains this with the following example: Casey and Joe are having sex, but Casey is experiencing pain. Casey knows that if Joe were aware she was experiencing pain, Joe would not want to further continue having sex. When Joe asks Casey whether all is well, Casey lies and says yes. Joe and Casey continue to have sex.

If I am interpreting Dougherty correctly, this could be viewed as a unique case of someone being deceived into having sex. Casey intentionally lied to Joe to get Joe to (continue to) consent, since Joe is uncomfortable having sex with someone who is in pain. If Joe

[9] Even though, I argue, this case does not directly put Dougherty's conceptualisation of deceiving someone into having sex at risk, it aims to show the importance of the intention to consent by the consenter.

knew that Casey was experiencing pain, Joe would not have continued to consent to having sex with Casey. This fits into how Dougherty frames sex-by-deception – Casey is deceiving Joe into having sex with her. Liberto, on the other hand, claims that Casey's experience of pain is *exclusively* within Casey's personal realm of legitimate discretion (2017: 138). This would mean that Casey experiencing pain is not (and cannot) be included into any right that belongs to Joe. Yet, it is the case that Joe intends to have sex with Casey where she does not experience pain. However, if Casey's experience of pain is only in her personal realm of judgement, then Joe has no right against Casey having sex with him while Casey is in pain. Liberto posits that, by virtue of consenting to Casey having sex with Joe, Joe consents to Casey having sex with him while (or even if) she is in pain (ibid.). Thus, according to Liberto, the importance of conserving our personal realm of legitimate discretion carries more weight than the wrongness of intentional deceit.[10] This would mean that intentional deceit can be "protected" when it (the deceit) is used to protect something in the personal realm. Even though the right to privacy is important, I find it difficult to distinguish between someone experiencing pain, which their partner would not want, and lying about it to ensure their partner continues to consent, and another scenario where, for instance, someone lies about their sexual fantasies (which they know their partner will express disgust towards) to gain sexual consent from their partner, whether that deception happens before or during the sexual activity. In both cases, someone is intentionally misleading their partner, either about physical discomfort or their personal interests, to ensure that their partner continues to consent to having sex with them.

Despite these counterarguments challenging Dougherty's conceptualisation, a thorough examination of the ethical dimensions of sex-by-deception underscores its robust nature. These critiques, while thought-provoking, do not justify the dismissal of conceptualising deceiving someone into having sex.

5. Conclusion: sex-by-deception is *rape*-by-deception.

Tom Dougherty argues that "[d]eception's threat to sexual consent is not taken seriously enough" (2013: 722). To reiterate, valid consent is granted voluntarily – without coercion. Expanding our exploration into the realm of deception as coercion, let us consider the insidious nature of grooming. Grooming, much like the cases discussed earlier, operates on the premise of manipulating perceptions and fostering unawareness. This not only ties back to our discussion on the deceptive nature of obtaining sexual consent but also underscores the profound impact of deceit in coercive dynamics. There are undeniable parallels between grooming and the act of deceiving someone into having sex, both sharing the common thread of exploiting the unawareness of the deceived. In the case of deceiving someone into having sex, the deceived is unaware of the deception (unaware of this *coercion*), and the deceived intends to grant sexual consent (believed to be voluntary at the time). An example of coercion where the victim is unaware of being coerced is the predatory act of "grooming". Lauren Leydon-Hardy describes grooming as a "preparatory process through which target individuals are primed, coached, or generally readied in some sense, for conduct that is exploitative in nature" (2021: 6). She further explains that victims who have been groomed are "exposed to sustained patterns of behaviour aimed at rendering them acquiescent to – or even complicit in – conduct which, outside of the context of a grooming relationship, might otherwise have been readily recognised as

[10] However, I do acknowledge that how we would or should go about determining our personal realm of legitimate discretion is a important question that lies beyond the scope of this paper.

harmful or exploitative" (Leydon-Hardy, 2021: 119). That is to say that these victims are unaware that they are being groomed and coerced to act or feel a certain way – but, if aware, could have realised that their actions and feelings were not voluntary. This is the nature of predatory grooming. Leydon-Hardy observes that when individuals who have experienced abuse within grooming relationships come to grasp the nature of their experiences, their testimonies typically do not indicate an awareness of having been deceived or coerced (ibid.: 121). The victims are almost completely unaware of the type of abuse to which they were subjected. Grooming aims at "masking abuse even by the lights of the abused" and it is in this way that grooming involves the fostering of an unawareness in its victims: "[g]roomers must hide in plain sight, even from their victims" (ibid.). I put forward that it is in this exact same way that the deceiver must "hide" from the deceived to successfully deceive and so receive the consent of the deceived. It then follows that deceiving someone into granting their sexual consent, is a form of coercion. Thus, deceiving someone into having sex is a form of rape, as it is in accordance with the criteria that determines a case of rape.

As previously mentioned, rape has been described in various ways, such as forced sex, coerced sex, and non-consensual sex. Sex-by-deception is not (necessarily) forced sex, for the deceived *does* intend to grant sexual consent. Sex-by-deception is not non-consensual sex in the way that it is usually understood, since the deceived, again, *does* grant sexual consent to the deceiver – consent is given but can afterwards be proven to be invalid due to the deceived's erroneous belief which is created by the intentional deception. However, sex-by-deception *is* coerced sex, despite the deceived being unaware of the deception/coercion. This means that sex-by-deception is rape-by-deception.[11] The deceiver's successful deception results directly in the coerced granting of such consent. The deceived's intention to consent would not be in place if not for the deceiver's coercion via deception. Whether or not the deceiver is aware of the known harm (or even potential harm) that the deception can cause for the deceived, is not what determines a case of deceiving someone into having sex. The *intent* of the deceiver to deceive someone into having sex *is* the key-factor that determines sex-by-deception, therefore rape-by-deception. The result of conceptualising "deceiving someone into having sex" as a form of coerced sex, and thus as rape, challenges our existing conceptualisation of rape, be it in legal jurisprudence or academic discourse, necessitating a vigilant awareness of the repercussions inherent in such acts. Our exploration into the phenomenon of deceiving someone into sexual activity prompts us to reflect upon the profound implications of our actions and appreciate the moral responsibility for our sexual choices. This also raises a pivotal ethical and legal question: How should society respond to instances of deceiving someone into sex? This inquiry deserves extremely careful consideration and is a project to be undertaken in the most serious and humanitarian light. Until then, we must become conscious and remain conscious of the significant moral weight and harm that deceiving someone into having sex carries in our society.

[11] The act of deceiving in cases of rape-by-deception involves intentionally causing someone to believe something that is not true, in order to get them to consent to having sex. There is, however an argument to be made that there actually is two routes to rape: "One option is to hold a defendant criminally liable only if he acted intentionally. Other options include holding a defendant liable only if he acted recklessly, or perhaps even negligently" (Chadha, 2021: 340).

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Considering the possibility of African philosophical counselling rooted in African hermeneutics and conversationalism

Jaco Louw

Abstract

Contemporary philosophical counselling literature is undergoing continuous expansion through the introduction of new and established philosophical traditions. However, certain traditions remain inadequately represented in the existing literature, most notably African philosophy. This current deficiency, if adequately acknowledged, presents an immensely creative opportunity for the expansion of philosophical counselling. Drawing on the hermeneutical work of Tsenay Serequeberhan and conversational philosophy as offered by Jonathan Chimakonam, I propose to introduce a notion of African philosophy that roots itself in the horizon (*philosophical place*) of philosophical counsellors enmeshed in dynamic conversations with counselees also rooted in and speaking from a specific horizon. Various contemporary philosophical counselling practises fail to grasp the importance of the very rootedness and origins of these philosophisings, subsequently failing to foster an environment conducive to the creation of new concepts and ways of becoming. Philosophical counselling underpinned and informed by this understanding of African philosophy emphasises the collaborative nature of the interpretative endeavour that originates from and is rooted in the concrete lifeworld of a counselee.

About the author

Jaco Louw is currently a PhD candidate. His research primarily focuses on African philosophy and its integration into philosophical counselling. Presently, he is concentrating on developing a framework in which African hermeneutic philosophy and conversational philosophy take precedence.

1. Introduction

Olúfẹ́mi Táíwò (1998: 3) writes at the turn of the century that

> [a]nyone who has lived with, worked on, and generally hung out with philosophy … must at a certain point come upon the presence of a peculiar absence: the absence of Africa from the discourse of philosophy.

This silence has since been acknowledged via numerous curricula changes[1] at several South African universities. This is an important marker due to its impact on academic contributions, particularly to foster the emergence of new philosophers and influencing scholarly output. "African philosophy"[2] is thus no longer hindered nor blocked by an explicit and unjustified neglect. However, these historical injustices accompanied by arbitrary and exclusionary structures still lead to problems experienced today. This is especially evident in the normalisation and internalisation of these structures which still marginalise, exclude, and/or occlude. The absence of African philosophy in the discourse of contemporary philosophical counselling (henceforth PC) is thus a given, one that necessarily follows. Contemporary PC literature on African philosophy consequently suffers from a serious epistemic dearth. There are few if any studies pertaining to the viability of using and incorporating African philosophy in PC. This silence accompanied by a persistent importation of knowledge from beyond the lifeworld from which the questions/problems emerge as quasi-universal solutions, perpetuates the structural marginalisation and silencing of indigenous voices. As a response, I provide a peculiar reading of African philosophy that at once sufficiently acknowledges this neglect, but which also provides a working solution to rectify and amend the assumption that led to this peculiar silence. Contributing to the literature of African philosophy in PC, I attempt to counter the current epistemic dearth by emphasising the need to (re-) turn to philosophical practices that originate from and are rooted in the concrete lifeworld of counselees. This reading of African philosophy is inspired by and based on the hermeneutic philosophy of Tsenay Serequeberhan and conversational philosophy as offered by Jonathan Chimakonam. Emerging from these philosophical practices is an interpretative actualisation situated within a conversational framework.

I will proceed as follows. Firstly, I will begin by providing a working definition of PC to prevent any unnecessary confusion. Working with this understanding, I proceed to acknowledge the unjustified silence of African philosophy in the current literature. Thirdly, I provide my reading of African philosophy, which begins to lay the foundation to trouble this silence. Contrary to this reading, I then juxtapose the viewpoints of two philosophical counsellors whose work seems detached and decontextualised, thus perpetuating and maintaining the notion that particular philosophical practices can be universally applied. Accordingly, the significance of *philosophical place* (horizon/lifeworld) and the very rootedness of these philosophical practices are disregarded, potentially forfeiting opportunities to cultivate rich perspectives emerging from these different lifeworlds. And lastly, I offered a markedly situated and contextually cognisant understanding of PC, which critically challenges the (re-) production of philosophy lacking these crucial

[1] The approach taken by some universities, such as Stellenbosch University (Arts and Social Sciences, 2023: 224) and University of the Western Cape (Undergraduate, 2023), was to incorporate separate "African philosophy" subjects. Others, such as the University of Pretoria (Philosophy Undergraduate Offering, 2023), have incorporated African philosophers into their main subjects.

[2] Two initial problems regarding "African philosophy" must be mentioned. Firstly, the term might designate a homogenous and singular field in philosophy, which is not the case. A second problem is raised by, for example, Ramose (2005: 4) who states that "Africa" is an invented term imposed onto Africans from the outside. Subsequently, he uses "Africa" under "protest". In this article, I still refer to "African philosophy" but with the preceding two remarks in mind.

considerations. This understanding, however, does not promote a prescriptive method that the philosophical practitioner should blindly apply across diverse contexts.

2. Understanding PC as collaborative philosophising and a hermeneutical happening

PC has as many definitions as it has practitioners (Marinoff, 1999: 37; Raabe, 2001: xix; Tillmanns, 2005: 2; cf. Schuster, 2004: 3). This makes the task of identifying a singular understanding of its practise difficult. Nevertheless, this lack of singular defining characteristics might actively safeguard against the inherent perils of dogmatically adhering to either authoritative figures or rigid theories (Robertson, 1998: 6). Given this multitude of interpretations and understandings surrounding its practise, the pursuit of a singular or centralised concept capable of encapsulating its diverse practices appears to be counterproductive. Moreover, linking this to the fundamental hermeneutical or interpretative nature of PC, the philosophical counsellor needs to possess and be in control of multiple methods (Pollastri, 2006: 109) and various philosophical perspectives (Lahav, 1996: 266; Schuster, 1995: 101). By encouraging this approach, the philosophical counsellor can effectively uncover and disclose all that philosophy has to offer, thus potentially edifying the counselee's life (Raabe, 2001: 214).

The praxis of PC might be understood through two objectives. Firstly, the counselee presumably seeks the guidance of the philosophical counsellor due to the presence of certain questions or problems in her life. Rather than addressing or resolving such concerns immediately, the philosophical counsellor perceives them as vital points of departure for the subsequent session. The second objective is thus to turn the counselee into a fellow philosopher. In this vein, the process of PC becomes inherently educational. Diverging from rigid pedagogy, the philosophical counsellor aspires to educate the counselee in a manner that encompasses, inter alia, the cultivation of skills related to the art of living (Schuster, 1999: 5), the cultivation of self-care for the "soul" (Schuster, 2013: 125-126), and the expanding of her horizon through self-transformation (Lahav, 2016: 12). Fundamentally, the philosophical counsellor exposes the counselee to various philosophical perspectives that grapple with analogous questions/problems of her own. This exposure does not necessarily entail immediate resolution of her concerns; rather, it furnishes her with the tools to perceive her issues from different viewpoints. Consequently, the counselee can enter a dialogue/conversation with the philosophical counsellor that uses the counselee's problems/questions as points of departure.

I briefly expand on these ideas. The philosophical counsellor can be conceptualised as a nomadic figure dwelling in, what Shlomit Schuster (1999: 12) calls, the "no-man's land", which is the space *between* different enterprises such as the sciences and humanities. The reason for this is that the philosophical counsellor stands in a unique relation to her practice: the philosophical counsellor can critique both the practice of philosophy and PC itself. Embracing this unique metaphilosophical position, the philosophical counsellor establishes a reciprocal relationship between her own practice and her chosen philosophy. As a result, the philosophical counsellor is shaped by her philosophical practice, but she also actively shapes that very practice, akin to a nomad being shaped by the place she dwells in and subsequently shaping that very place in turn (Janz, 2001: 395). Moreover, the philosophical counsellor enmeshed in this reciprocal process is also constantly influenced by the counselee and her needs. In this scenario, the counselee assumes the role of an indispensable co-creative partner (Allen, 2002: 5, 11-12). Within this dynamic collaborative session, the philosophical counsellor not only generates novel ideas, but she is also shaped by them. This reciprocal process is engendered through an ongoing conversation between the counsellor, the counselee and philosophy itself, wherein novel philosophical perspectives are unearthed and embraced. The philosophical counsellor's horizon is continually expanded all whilst

helping the counselee traverse through the rough territory, not alone but collaboratively.

What becomes apparent in this notion of PC is the central role of the counselee and philosophy as conversational partners, and the subsequent dynamic conversation that inspires further (re-) interpretation. A *hermeneutical happening* transpires in which the philosophical counsellor unites and entangles herself with the question/problem that the counselee brought to the counselling session (Raabe, 2000: 16; Schuster, 1992: 587, 1999: 38). Her problem/question is not understood as something in need of immediate resolution; conversely, it is seen as the point of departure for the ensuing PC session. The discussion is thus rooted in and emerges from the counselee's presented concerns, questions, and/or problems. This understanding of philosophical counselling thus emphasises the importance of collaboratively philosophising.

While these notions are not entirely novel, universal or value neutral, two problems impede me from properly grounding them in an African context. Firstly, there is still widespread neglect of different philosophical traditions, such as African philosophy, in the PC discourse. This limits the conversations that might unfold subsequently, especially in South African contexts. Rich conversations, rooted in indigenous philosophical praxes that emerge from situated questions and problems, are marginalised, excluded, and/or occluded. This is because philosophy originating from elsewhere, such as Western philosophy, will be preferred in lieu of other philosophical traditions, such as African philosophy. Secondly, by keeping this silence unacknowledged, the need to change and incorporate different philosophical traditions into the PC discourse will be slow. Understanding philosophical praxis as rooted in a specific horizon thus problematises the exclusive reliance on other markedly particular philosophical praxes in ways that suggest they are universally the same everywhere and for everyone. If this is not problematised, philosophy originating from outside African lifeworlds are preferred, leading to the uniform importation of philosophy. Consequently, problems and questions arising from and pertaining to a particular lifeworld are dealt with as if universal – that is, the particularity of Western modernity masked as universal.

3. An unjustified silence: The lack of African philosophy in PC

The lack of African philosophy in the PC discourse has only been mentioned by a single article (Pilpel & Gindi, 2019: 71). Transcending mere recognition of this issue, the authors put forth Ubuntu and sage philosophy as viable understandings of African philosophy that "have the most obvious therapeutic potential" (ibid.: 72, 73). Aimed at addressing the current epistemic dearth, their article might serve as an initial step in the proper direction; nevertheless, it demonstrates a serious lack of the much-needed subtlety and nuance required to contextually understand the philosophical schools of thought they discussed. Notably, it neglects to acknowledge or discuss, for example, the challenges of understanding Ubuntu philosophy within a Western framework or from a quasi-universal perspective[3] and it remains oblivious to the inherent issues surrounding sage philosophy such as the reliance on Western philosophical constructs.[4]

Their attempt points to a pertinent problem, one which I want to call a necessary evil. Philosophers from beyond the African lifeworld – from the outside – are currently trying to incorporate African

[3] See, for example, the discussion by Dladla (2020: 45-55). He is critical of discussions surrounding ubuntu without the needed nuance, stating that "most of these 'Ubuntus' which taken hold are curiously 'Ubuntus' without abantu [and] 'Ubuntus' without or isintu" (Dladla, 2020: 45).

[4] See, for example, Serequeberhan (1996: 111) who states sage philosophy is essentially the product of a dialogue between the philosopher/transcriber and the sage; but, more importantly, it still relies on essentially Western philosophical constructs and frameworks.

philosophy into the discourse. Voices emerging from and responding to the African lifeworld are looking to the global North for answers. The internalised normality of viewing the particularity of Western philosophy as universal has not been addressed in the PC discourse. Publications emerging from (South) African contexts pertaining to PC noticeably overlook the rich and diverse potential of African philosophy. This neglect does not seem to be peculiar but rather embedded in the exclusionary tendencies of Western philosophy (Táíwò, 1998: 5, 9; Serequeberhan, 2021: 35-36).

In a single article mentioning African philosophy and PC from the African context, Bellarmine Nneji (2013: 6) writes emphatically that "in many African settings … *there is serious need for philosophical counselling*" (emphasis mine), especially regarding helping the counselee come to grips with understanding her current situation. However, the author almost entirely relies on Western philosophy and philosophical counsellors to introduce PC into the African context. Initially, this may not appear too problematic. Considering different perspectives may have the potential to offer fresh insights. However, the predominant introduction of Western philosophy into African contexts poses a significant challenge when contrasted with the glaring silence and absence of African philosophy within the discourse of PC. An impression is created that Western philosophy is favoured for addressing African problems and questions.

This juxtaposition of using Western philosophy in place of African philosophy raises two serious concerns. Firstly, it highlights the problem of prioritising imported knowledge over cultivating knowledge from the very soil where the issues originate, thus accentuating the problem that African philosophy is not adequate to deal with its own issues. Secondly, it accentuates the need to address these asymmetrical dynamics in the creation of concepts/ideas which, if left unstressed, will perpetuate the marginalisation of indigenous knowledge, as is currently the case. I now turn to formulating an understanding of African philosophy that addresses these concerns.

4. Construing African philosophy as a radical hermeneutic in conversation

4.1 A radical African hermeneutic responding to a particular lifeworld: A reading of Serequeberhan

There are various understandings and schools of thought pertaining to African philosophy. As theoretical points of departure for my understanding of African philosophy, I first turn to the hermeneutic philosophy of Tsenay Serequeberhan. Serequeberhan offers an understanding of contemporary African philosophy as a direct response to the concrete needs that arise from and respond to the contemporary African situation. Serequeberhan contrasts this existentially aware position to two other prominent African philosophical schools of thought, namely, ethno- and professional philosophy. Both these schools of thought uphold the problematic assumption that subordinates African philosophy by either trying to validate negative stereotypes or by universalising and normalising the particularity of Western modernity (Serequeberhan, 1994: 6-7). Paulin Hountondji's (1996: xii, 33, 105) claim that, for example, African philosophy simply constitutes philosophy written by Africans, seems unproblematic at first. However, this position maintains Western hegemony by mirroring its exclusionary practices in uncritically assuming Western philosophy as the paradigmatic example or yardstick. It assumes that African philosophy is "universal" philosophy – often mirroring Western philosophy – practised by Africans. What follows is referred to by some scholars as "Hountondji's dilemma" – the dilemma in which, on one hand, the universal practice of African philosophy is praised to distinguish it from ethno-philosophy, while, on the other hand, asserting that non-Africans cannot partake in this practice, thereby raising questions about its universal claims (Chimakonam, 2015: xiii). Conversely, searching for some unique feature to essentialise as African can either validate negative stereotypes that should be dismantled (e.g., Senghor) or seek out some static pre-colonial past to which one cannot return (e.g., Oruka's charitable reading of

Tempels).[5] In short, the problem with these schools of thought is that they do not pay attention to the concrete needs of those situated in the contemporary situation, which for Serequeberhan is one marked by neo-colonialism.

As my own point of entry into the complexities of Serequeberhan's thoughts, I begin by considering the notion that "contemporary African philosophy is concretely oriented toward thinking the problems and concerns that arise from the lived actuality of post-colonial 'independent' Africa," (Serequeberhan, 1994: 7). Initially, it is crucial to understand the tension and paradoxical nature of the post-colonial "independent" Africa as this directly leads to the goal of his African philosophy, viz., interpreting/understanding and subsequently moving beyond the deplorable contemporary neo-colonial situation. Coming to an understanding of this situation, Serequeberhan (2000: 2; 2009: 44) writes that it is marked by an in-between-ness, a gap, or liminality which constitutes the resulting (non-) identity of the formerly colonised in the post-colonial present. On epistemological and ontological levels, colonialism violently exported and inserted its own history wherever it went and subsequently blocked/halted/stopped any indigenous histories and ways of living it encountered (Serequeberhan, 1994: 21, 24; 2000: 1, 6). This was based on a very specific "pre-text" or metaphysical assumption (read: myth) which still functions today. As Serequeberhan (2009: 44) states

> every aspect of our existence in the formerly colonized world is still—in essential and fundamental ways—determined and controlled by our former colonizers.

The metaphysical assumption, pre-text/idea, or pre-judgement, underlying the neo-colonial situation is referred to as the "ideology of universalism". This idea assumes and uncritically proclaims that "European existence is, properly speaking, true human existence *per se*," (Serequeberhan, 1997: 144). The most prominent problem in African philosophy is thus not the outright rejection of everything Western in the post-colonial present, but rather the identification and overcoming of the normalisation and acceptance/internalisation of this pre-text by the formerly colonised. This leads to what Serequeberhan (1994: 119; 1997: 141; 2009: 46) calls the double task of African philosophy, viz., a critical-negative and de-structive element and a positive constructive element. Both these elements are indispensable vis-à-vis the "hard work" that needs to be done to get beyond the neo-colonial situation. Because, as Serequeberhan (1994: 9; 2000: xii; 2010: 32-33) states multiple times, and in reference to the important notion of a "return to the source", following decolonisation[6] the vigour and driving force of the anti-colonial struggles were forgotten and led to the deplorable contemporary neo-colonial situation. Thence the contemporary liminal situation, a state of being in-between the former colonised and the contemporary neo-colonial situation, i.e., not-yet liberated.

The necessity of Serequeberhan's double task can now be elaborated. Serequeberhan (1997: 157 footnote 4) utilises the term de-struction,[7] a term he borrows from Heidegger,[8] to emphasise the need to lay bare the inner workings, or the prejudices/pre-text, of a text. In

[5] See Serequeberhan (1991: 18-19; 1994: 6) for more detailed discussion on these figures.

[6] In decolonial studies, "decolonisation" instantiates a concrete event contra decoloniality (coloniality referring to the logic of colonialism). See, for example, Serequeberhan (2010: 32) who writes that the formerly colonised "reclaimed the 'lands that belong to them'" but they have not yet purged their minds of coloniality, nor have they regained control over their "historical existence".

[7] Cf., destruction entailing the total eradication or elimination of something.

[8] At first glance, it might seem strange or ironic to use Heidegger for the purpose of critiquing hegemonic philosophy. However, Serequeberhan (1994: 2-4) first appropriates and indigenises the philosophy he uses.

effect, it might reveal the problematic assumptions of the author. One can thus identify how these assumptions function in maintaining, for example, the idea of Western superiority/hegemony. Thereafter, these assumptions can be mended or discarded through the "*return* to the source", where the "return" signifies a cultural filtration and fertilisation (Serequeberhan, 1994: 109) or sifting and sieving (Serequeberhan, 2021: 38) of indigenous as well as hybrid/synthesised/Western ideas. The goal is "a new synthesis" through which (i) a critique of hegemonised Western-centric ideas is facilitated to particularise them and (ii) to discard anything that might hinder the liberation process/struggle (Serequeberhan, 1994: 109; 2021: 38). Moreover, the *source* to which the African philosopher returns is not some static and untouched pre-colonial past. Rather, it is a return to the "vigor, vitality (life), and ebullience of African existence" to continue the "hard work" needed to get to the ideal of liberation, i.e., beyond the neo-colonial liminal situation (Serequeberhan, 1994: 107-108, 126-127 footnote 16).

5. The indispensable need for creative conversations: A reading of Chimakonam

The question might naturally arise: how should the aforementioned *theoretical* contemporary African hermeneutic philosophy be *practised*? Departing somewhat from the traditional notion of philosophy as a solitary, abstract endeavour, I propose the adoption of conversationalism as a means of engaging with Serequeberhan's philosophy as praxis. In essence, this framework situates Serequeberhan's philosophy within a conversational context, with the intention of both concretising its theoretical foundations and exploring the creative consequences emanating from it.

Before fully turning to conversationalism, it is important to be cognisant of two further important ideas promoted by Serequeberhan that might form a link to the work of Chimakonam. Firstly, Serequeberhan (1994: 9) following Fanon states that we should "turn over a new leaf" and "work out new concepts". Secondly, Serequeberhan (2021: 39) asserts that philosophy, fundamentally, is not concerned with the exotic or the intriguing, but always about the concrete questions and problems originating from a specific lifeworld. It is at this point that the method of conversationalism might emerge as an instrumental tool for concretising these ideas, interwoven with the indispensable imperative of collaborative philosophising, a crucial element somewhat neglected in Serequeberhan's account. I will now explicate this reading of conversationalism.

Conversationalism emerges, according to Chimakonam (2017b: 120), as a tangible product from the methodisation and systematisation of a specific understanding of "relationship" embedded within the Igbo language. Relationship, in this instance, refers to

> a wilful, creative and critical epistemic experience which two agents … share with the intention to create new concepts and open up new vistas for thought (Chimakonam, 2017a: 15).

Already visible in this notion of relationship is the goal of creating new concepts and disclosing restricted ways of becoming, thereby establishing a connective thread between itself and the philosophy of Serequeberhan.

The roots of conversationalism can further be identified in the translation of the Igbo notion "arụmarụụka", meaning either "engaging in a relationship of doubt" (Egbai & Chimakonam, 2019: 181) or "engaging in critical and creative conversation" (Chimakonam, 2017a: 120). Embedded in this idea of conversation is *nwa-nsa* or the defender of a position and *nwa-nju* the opponent or doubter of a position (ibid.: 121). One might also tentatively refer to these positions respectively as thesis and anti-thesis, but unlike in dialogue/dialectics, synthesis is actively discouraged as an outcome. In fact, Chimakonam (2017a: 17) articulates a perspective that labels yielding to the demands of synthesis as a creative *surrender*, as opposed to a creative *struggle*. A creative struggle refers to the dynamic interplay and outcome between *nwa-nsa* and *nwa-nju* in which both parties retain their original

positions but are positively transformed. Chimakonam (2017a: 17.) states accordingly:

> [c]reative, in that its foremost goal is to birth a new concept by opening up new vistas for thought; struggle, in that the epistemic agents involved pit themselves against each other in a *continuous* disagreement. (Emphasis mine)

I proceed to explicate a few remarks integral to understanding conversationalism. One might begin by assessing or weighing the "relationships of opposed variables", situated in a framework that ontologically views these variables as interconnected and not as isolated entities (Chimakonam, 2017b: 121).[9] These variables are then "shuffled" between disjunctive and conjunctive modes. In short, variables are either joined to showcase their inter-connectedness, or terms such as "and", "or", "but" are used to showcase how the variables might differ from each other. The goal of these shuffling modes is to continually "refresh" *nwa-nsa*'s position to reach higher levels of discourse. Most importantly, a synthesis is never reached because, as mentioned, this will lead to a creative surrender, i.e., a conclusion to the dynamic conversation. Additionally, this idea is captured when Chimakonam (ibid.: 122) states *nwa-nsa* has a "transgenerational life-span" contra a synthesis that might only have a generational life-span. The objective of conversationalism, in essence, is to preserve an ongoing conversation that attempts to consistently generate and reveal novel concepts, without a predetermined termination point (Chimakonam, 2017a: 22).

6. African philosophy concretised as an interpretative actualisation through conversation: A meta-philosophical observation

The understanding of African philosophy flowing from these discussions can be construed as a critical hermeneutic or interpretive actualisation emerging from and responding to a distinct lifeworld or philosophical place, facilitated, and continually informed by the practice of conversationalism. The significance of this relationality – the indispensable need for the other to collaboratively philosophise – lies in the fundamental characteristic of mutual engagement through ongoing conversations, which not only brings forth new concepts but also amends outmoded concepts. Moreover, the concretisation of the radical and critical hermeneutic practised through conversationalism has the purpose and goal of fostering continual (re-) interpretation catalysed by active participation from conversational partners with no immediate need to "conclude" or "synthesise".

Combining a radical hermeneutic and conversationalism serves to illustrate the importance of philosophising through and in a philosophical *place*. Philosophical place is essentially the horizon or lifeworld from which a philosopher philosophises. Historic-political-socio-economic factors influence and shape to what and how a philosopher responds. Linking this back to the nomadic figure, as espoused in the above discussion, the African philosopher responding from and to the African lifeworld is necessarily shaped by these factors. This does not mean that the philosopher is restricted by these factors in a crude form of determinism. The claim is merely that these issues are more pressing than the exotic and intriguing issues that do not relate to or affect the contemporary situation (Serequeberhan, 2021: 39). Philosophy should thus be understood as philosophy-in-and-through-place (Janz,

[9] This is referred to as the ontological thesis of conversationalism. See Chimakonam (2017a: 18) for a more detailed discussion.

2015: 481; Olivier, 2016: 514-515). That is, it always responds to the questions (discourse) flowing or originating from a specific place (horizon) and contemplates what it is to philosophise in and from that place (Janz, 2001: 398). In the terminology used in this article, the conversation occurs from the African lifeworld focusing particularly on interpreting and understanding what this conversation entails. Being a radical hermeneutic, following Serequeberhan, it cannot simply rely on frameworks and concepts that still maintain Western hegemony and superiority, and neither can it return to a stagnant source stuck in the past. It thus necessitates the construction of a new vocabulary. Through the praxis of conversationalism, this ideal can be concretised therefore transcending mere abstraction. It does this by continually pitting two or more conversational partners against each other to struggle continuously yet creatively. From this, new concepts and different ways of becoming might be disclosed.

The notion of African philosophy presented here remains meta-philosophical in essence. It does not definitively describe what constitutes African philosophy, concentrating instead on laying a foundation for the potential emergence of an African philosophy intrinsically rooted within and responding to a specific lifeworld. Recognition of and honouring the inherent multiplicity is imperative, due to the emphasis on African philosophy originating from and responding to a particular African lifeworld. Therefore, African philosophy takes on the form of the lifeworld it originates from and engages with. This underscores the nomadic quality intrinsic to this conception of philosophy, thereby constituting a fundamentally reciprocal relationship. A particular horizon or lifeworld thus profoundly shapes the discourse or conversations which philosophers engage with. The contributions of Serequeberhan's hermeneutics and Chimakonam's conversationalism accentuate an inherently collaborative nature to the interpretative actualisation. That is, it facilitates a process wherein two or more participants collaboratively engage in a conversation pertaining to significant topics. These conversations subsequently unfold, undergo continual reinterpretation, and evolve through an ongoing yet creative struggle.

Before turning to what I want to call African PC, I briefly identify and discuss a few problematic examples in the PC discourse which I contend maintain the neglect of other philosophical traditions.

7. Case in point: Deeper than an unjustified silence

The unjustified silence relating to different philosophical traditions in the PC discourse points to a deeper problem, one embedded in Western philosophy's exclusionary tendencies. As discussed above, following Serequeberhan, for a substantial time in the history of Western philosophy the pre-text was maintained that its own particularity was true of human existence universally. With the use of these philosophical praxes, contemporary philosophical counsellors uncritically reproduce these very exclusionary practices. I will discuss two such instances.

Recently, Ran Lahav (2016: 11) stated that one should look beneath the "theoretical clothing" of an argument to see the "essential body". What this means, in the context of his PC, is that we should identify the essential and underlying "call for transformation" situated in various philosophical perspectives throughout the history of Western philosophy. Irrespective of how these philosophies are "dressed", i.e., contextual and situated factors, they are all read to contain a single transformational fact: they ask the reader to transcend their current way of being for something "better". The counselee should transcend their particularity in the search for universality or Plato's forms. Lou Marinoff, in his turn, provides ample "case studies" of counselees who changed their lives because of PC/philosophy. They are usually provided in the form of *Counselee P resolved problem x by incorporating the philosophy of philosopher y*. Marinoff (2003: 120-121) writes about one such case in which Ruth, with a minimal understanding of the Socratic method of philosophical midwifery, changed her way of living. She understood that

she was using her own circumstances as an excuse to prevent herself from becoming what she truly wanted to be.

Applying Lahav's terminology, these philosophical practices are stripped of their theoretical "clothes" leaving behind an oversimplified "core" which is then offered to the counselee for practical application in her daily life, aiming to address, resolve, or assist with any issues she may have presented to the philosophical counsellor. The crux of the issue lies in the fact that these philosophical approaches are employed by philosophical counsellors in a way that suggests they can effortlessly be extracted from their original and embedded contexts, devoid of these distinctive ideas that shaped them, and thus utilised in an ostensibly and untenable value-neutral fashion. The very rootedness of the philosophy they utilise is forgotten in a search for universal application across an array of contexts. Moreover, the collaborative nature of philosophising, as presented in this article, is forgotten and neglected. The philosophical counsellor presents the counselee with this decontextualised and uprooted philosophy as if it contains hidden truths and powers to transform her life. These philosophical counsellors do not hail from the African lifeworld, but their reliance on a particular philosophical tradition, i.e., Western philosophy, in a completely universal manner is problematic and gets reproduced in African contexts (as discussed above in section 3). What is needed is an understanding of PC that honours and utilises philosophical praxes emerging from and rooted in concrete lifeworlds.

8. Considering the notion of an African PC

8.1 The impact of grounded philosophy informing PC

From the preceding discussion, I contend that a clear imperative emerges for philosophical counsellors to embrace an explicit situational framework that underscores the significance of questions and problems (discourse) originating from and responding to distinct philosophical places or lifeworlds (horizons). Moreover, PC should always remain concretely rooted within and aware of historical and geographical contexts, thereby stressing the importance of the embodied presence and lived experiences of the conversational participants. This imperative informs PC's praxis in three distinct ways.

Firstly, it redirects the philosophical counsellor's focus towards philosophical practices rooted in African lifeworlds. This emphasis does not preclude the utilisation of, for instance, Plato's philosophy in her philosophical practice. Nevertheless, it is critical about the application of philosophy originating from different lifeworlds, especially if one hegemonises the particular philosophy or if one applies it instead of more relevant philosophy. In this framework, it honours philosophy that originate from within and as a response to a specific philosophical place or lifeworld, thereby informing the philosophical counsellor's praxis in a situated and contextually aware manner. Philosophical place therefore acts as the foundational guiding principle for the philosophical counsellor in shaping the ensuing conversations and interpretations. The horizon from which the philosophical counsellor engages shapes the particular response (discourse). Employing a particular philosophy under the guise of universality risks at best being rendered inconsequential and irrelevant to the specific situation; at worst, it perpetuates the problem of actively excluding and marginalising philosophy and different ways of living/being.

The second way through which the rootedness of philosophy informs PC is by making philosophy relevant to a distinct lifeworld. In the late 1980's, Nails (1989: 100) contended that due to the Western-centric nature of Plato's philosophy there was little relevance for it in a South African context. In a later publication, Okeja (2018: 112) confirmed this position by stating that "[t]here is little need to keep educating young minds in Africa about Plato's world of forms" in lieu of indigenous philosophical approaches. Directing attention towards the inclusion of philosophy that resonate with and emanate from a particular lifeworld guides

the philosophical counsellor in incorporating philosophical praxes that align with the contextual and situational requisites of the counselee. Both the integration of these rooted and situated philosophical activities and the appropriating/indigenising of philosophy arising from different lifeworlds within the philosophical counselling discourse becomes a unique challenge for the philosophical counsellor. Informing her practice with these philosophical approaches, the philosophical counsellor lowers the risk of utilising philosophy that might marginalise, exclude and/or occlude.

Thirdly, by highlighting the collaborative essence of philosophising and acknowledging the particularity of both the counselee and the philosophical counsellor, the groundwork is laid for the development of contextually aware concepts. This unfolds through the process of philosophising qua an interpretative actualisation – the praxis tailoring concepts to fit the needs of the counselee – within a conversational framework that necessitates a creative struggle. This accentuates the intrinsic link between concept creation and the place or lifeworld from which the conversation originates and emerges. This assertion aligns with Janz's perspective (2015: 481), when he asserts that concepts bear their own provenance, meaning that they are shaped into functional constructs from where they emerge.

9. Radical hermeneutics and conversationalism informing PC: African PC

I argue that the integration of both a radical hermeneutic rooted in Serequeberhan's work and a conversational framework proceeding from Chimakonam's approach can facilitate the conceptualisation of an African PC. The rootedness of their philosophical approaches, both theoretically and practically, becomes pivotal for this nuanced comprehension of PC. I will briefly elucidate the conception of African PC, underpinned by their distinct philosophical praxes. This conception underscores a markedly situated and contextually aware understanding of PC, which critically challenges the (re-) production of philosophy that lack these essential considerations. I do not advocate that this understanding should be universally applied by philosophical counsellors across diverse contexts. Instead, it becomes the philosophical counsellor's imperative to adapt and indigenise various philosophical praxes emerging from and responding to concrete lifeworlds in their practise. That is, by accepting the reciprocal and continually unfolding nature of this understanding of philosophy, the philosophical counsellor cannot passively rely on and subsequently apply a philosophy without first critically conversing with it. The same applies to the counselee.

Through the application of a conversational framework, the philosophical counsellor facilitates a conversation where both she and the counselee can assume the roles of *nwa-nsa* and *nwa-nju*. Emphasis is placed on the reciprocal nature of these roles. For example, the counselee can critique the philosophical counsellor's response, thereby instantiating the position of *nwa-nju*. Moreover, this precludes the counselee from passively accepting what the philosophical counsellor said. But it also prevents the philosophical counsellor from merely responding with decontextualised philosophical texts. Thus, the focal point becomes the critical relationality between the philosophical counsellor and the counselee during the ensuing discourse. This dynamic transcends mere informal information exchange; instead, it unfolds as a critical and creative struggle through which concepts can be created and novel ways of becoming can be revealed which might have previously been enclosed or ignored.

Employing a radical hermeneutic, the ensuing critical and creative exchange among the engaged conversational participants is highlighted as encapsulating a fundamental interpretive essence. Within the ongoing oscillation of the conversation – the shuffling of modes – interpretations and reinterpretations of concepts and ideas are sustained, facilitated by a process of filtration and fertilisation. Moreover, it problematises the inclusion of hegemonised philosophy through its interpretative and critical stance. While

philosophy originating from diverse lifeworlds can be integrated if deemed relevant and beneficial, their inclusion hinges on the situated and contextually aware philosophical counsellor's discretion.

10. Conclusion

Introduced in this article is a notion of PC that relies on (i) the inherent necessity for dynamic and critical conversations that (ii) confront the contemporary (temporally) situated needs of its conversational parties through a constant interpretation and re-interpretation (re-shuffling). This understanding is rooted in the ideas cultivated by Serequeberhan and Chimakonam who are explicitly aware of their own situatedness and contexts from where they write/speak. Subsequently, the concretisation of African PC is manifested by the philosophical counsellor who explicitly situates herself within her own historical context (philosophical place) and that of her counselee. The participants' embodied presence and living voices are embraced in a collaborative effort to reveal new concepts and disclose new ways of becoming. However, this is not seen as an endpoint (synthesis/creative surrender). Emphasis is placed on an ongoing conversation that continually and concretely unfolds. Therefore, this revised understanding of PC attempts to contribute to the current identified dearth in the discourse. Present in this reconceptualisation is a markedly situated and contextually aware notion of PC; the mere reproduction and uncritical application of it in diverse contexts are absent.

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Death: The Existential Meaning of The Ultimate Phenomenon, Towards an Aesthetics of Consolation

Thomas Russell

Abstract

This paper considers the phenomenon of death as it is existentially relevant to us as existents. It raises the question: how should we live given that one day we will die? I explore how death uniquely shapes our conception of who we are and what we can become as naturally constrained human beings. I argue that we should seek to incorporate death as a meaningful consideration and factor in our daily living if we are to self-actualise. Furthermore, I argue that given the above we find ourselves in need of consolation. I proffer a proto-ontological aesthetics that seeks to show from the first principle of the I-You ontological structure of human existence how we can find consolation in a world besieged by death. I argue that there is a reciprocal relation between being-with-others, death, and self-actualisation. We appreciate being-with-others all the more because of the limitation imposed by death, whilst being-with-others allows us to find consolation in the other in the form of being-with-others-to-the-end. The second part of the essay considers the relationship between being-with-others, death and self-actualisation as applied to aesthetics. A number of aesthetic examples are employed that exemplify the reciprocal nature between death, love, and art. Art helps us to discover and integrate ourselves as a being-with-others: it helps us to form meaningful relationships. Thus, art as a mode of being-with-others provides a way for us to reconcile with death, while the finitude imposed by death moves us to find consolation in art.

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1. Introduction

The question of death is one of the principle and perennial questions of the philosophical tradition. It defines our mortal nature. To be human is necessarily to be a bounded entity, both spatially in terms of embodiment and temporally in terms of the fundamental fact that at some time in the future we as individual existents will cease to be. This paper analyses what death should mean to us as human subjects. It asks to what extent this phenomenon bears relevance to us in how we live our lives. I argue that the meaning of death as a necessary universal limit upon mortal experience allows us to realise ourselves as authentic human subjects; it is by the limitation of our being in time that death enables us to delineate systems of meaning, value, and morality, which would be inconceivable in a temporally infinite existence. I conclude that it is important for us to understand the meaning of death so that we may better orientate ourselves in the living world and holistically self-actualise. I hold this can only be achieved through a meaningful integration of the self with the other through a consideration of and coming to terms with death as the ultimate limit to our own existence and the existence of those we love.

In the world of the artist, tragedy is a well-suited medium to achieve this integration of self-and-other-actualisation; the world of the artist serves as a conduit by which we become able to reconcile ourselves with the other. Therefore, I develop a proto-ontological aesthetics that aims to show us who we are, who we could be, and the possibility (and necessity) of consolation in the aspect of being-with-others-to-the-end. In the first section I show that there is a reciprocal nature between the self and the other (being-with-others), self-actualisation, and death. By being aware of death, I argue, we become aware of the need to form meaningful relationships; reciprocally, meaningful relationships help us to reconcile with the idea of death. Similarly, in the following section, I show how art conceptualised as a reconciliation of the self and the other provides consolation; and, reciprocally, that the awareness of death drives us to art in search of that consolation.

Here ontology is taken to mean the inquiry into the nature of being, and aesthetics as inquiry concerning the arts; thus by ontological-aesthetics I mean an inquiry into the nature of being itself enhanced, and exemplified more fully, by means of inquiry in the realm of the arts. Specifically, I show the importance of conceiving the subject as a relational subject characterised by the I-You relation. Being-with-others enables being-towards-death because it provides a transcendental consolation in the other; whereas being-towards-death enables being-with-others because it provides such a compelling and orienting motivation to cultivate meaningful relationships. Our being-with-others is necessary for our self-actualisation, and the arts furnish us with a means to accomplish this. The prefix, "proto-", merely indicates that it is a developing theory. A more ambitious scope and length would be required so that a fuller theory may be delimited from literature, drama, music, the fine arts, architecture, etc. Nevertheless, the broad outline of the theory is, in my estimation, adequate to express convincingly enough what it claims to establish: a reciprocal relation between death and love, precipitated and mirrored by a certain conception of art, which, the three being considered in their various ways, facilitates the process of self-actualisation and self-integration-with-the-other, and finally provides the grounds for apprehending the consolation that, in the end, all human beings need.

2. Ontology: The Existential Conception of Death, Being-Towards-The-End

Perhaps all existentialists, Macquarrie (1985: 77) notes, 'agree that the basic motivation of a philosophy of existence arises from the individual existent's need to come to terms with his own existence'. But this raises a vital question, and it is the question that concerns us here: what does coming to terms with one's existence mean, and how could one set about achieving it? The existentialist's response is that we need to accept the

intrinsic nature of our experience. We are mortal and finite, and the way to grasp the meaning of our experience lies in seeking first to understand, insofar as it is humanly possible, the meaning of its end. It is necessary to admit at this point that death can of course be considered in a variety of ways; however, it is the existential consideration of death that interests us here. Considering death existentially entails considering it as a certain-to-occur eventuality in which from some future time onwards one ceases to be alive (Macquarrie, 1985: 194-195). We are thus interested in what death as a phenomenon of existence, as the ever-present potential realisability of ceasing to be alive, means to us as existents in the light of our need to come to terms with our own existence.

For Heidegger (1987: 274), existence is the essence of our being, which leads to our self-conception as 'an understanding potentiality-for-being'. Our self-conscious nature inculcates a view of the world as *our* world, in which we are always in some way developing. Our 'potentiality-for-being' means then that each of us has a well, as it were, of potential that is naturally a part of us (in some deep structural sense) and that we can draw upon in order to actualise the being that is our self. The phenomenon of death is, in Heidegger's view, the meaning of being and the fundamental question of ontology. Death has an existential-ontological signification (Heidegger, 1987: 280): it has an impact on the existent's own existential experience and forms his being. Existence, when properly conceived, is both potentiality-for-being and authentic existence construed as being-to-an-end (Heidegger, 1987: 276-277, 289). In this view, death stands before us as an impending something (like nothing we can conceive) (Heidegger, 1987: 294). By being-to-an-end Heidegger means living one's life in the light of the reality of one's temporal finitude. For Van Niekerk (1999: 415), this entails that we have a need to 'come to grips with death as the most significant aspect of life'. Thus, death is the ultimate ordering principle of our meaning, and that meaning's relevance, in the world. To put the previous point in Van Niekerk's (1999: 409) words: '[o]ur lives require interpretation because of death; death is the constant stimulus which prompts us to ascribe meaning to who we are, what we do and why we remain at it'.

The human existent is naturally limited and necessarily develops within given constraints. Macquarrie (1985: 191) notes: 'possibilities occur only in actual situations, and this is to say that they are already limited by the situational element' – we are always limited by our own perspective upon the world. Given this, existentialists construe existence as an art of possibilities conditioned by facticity: an acceptance of the given and the givenness of our experience conditioned by the limited nature of our horizon and the constraint imposed upon the openness of our future. We are always already situated circumstantially such that our possibilities are limited, and the ultimate limitation is death. One may say that to have an awareness of death is the price of self-consciousness, certainly it is necessary for self-actualisation. Heidegger (1987: 310) claims that having an awareness of death as a being-towards-the-end gives rise to the existent experiencing "anxiety"[1], the apprehension of this inexpressible something arising from our potentiality-for-being. In other words, anxiety manifests as our conscious mental discomfort in the world best characterised as a consciousness of nothing (but a nothing akin to something in that it affects us); it is the manifestation of our *unheimlichkeit* – our not feeling at home in the world.

The investigation into the significance of the phenomenon of death to our lives may seem largely subjective: after all, the existentialists stress that it is the individual existent's *own* experience of death, or life in the aspect of death, that is under investigation (Macquarrie,

[1] Many existentialists make this claim. Anxiety, a continual malaise or enduring feeling of uneasiness, is our fundamental affectation. According to them, it is always there, something which is woven into the very fabric of human existence (Macquarrie, 1985: 165).

1985: 195). Nevertheless, it would be incorrect to infer that this search for understanding is a solipsistic or a selfish endeavour. Indeed, in the view of existentialism, it is our being-with-others that is structurally fundamental to our own existence; being-with-others is a condition of individual existence and not a derivative from a supposed first principle of the self (Macquarrie, 1985: 102-105). The reason for the hyphenation of the customarily separate terms 'being', 'with' and 'others' is to show that the separate terms are structural components of the hyphenated term, and as such they are interrelated as one entity. Thus *being with others* differs from *being-with-others* insofar as the former may merely refer to the idea of being in the presence of others, whereas the latter means to convey an ontological sense in which being (as a structural designation and a present consciousness denoting the individual) is fundamentally entwined with other beings such that the individual cannot be wholly individuated (that is, separated from others, as in the way that the Cartesian self is, and in the way that *being with others* unhyphenated may also suggest). One of the implications of being-with-others, then, is that we are concerned within our own being for the being of certain others, and so their deaths as well.

I turn to the work of Martin Buber for an explanation of Macquarrie's ontic observation that being-with-others is a condition of individual existence (ibid.). Buber (1979: 54, 55, 59, 62) proffers that there is an I-You relationship that characterises each individual existent, which is the ground for intersubjectivity, and moreover the basis of the possibility for extraordinary intimacy[2]. 'In the beginning is the relation – as the category of being, as readiness, as a form that reaches out to be filled, as a model of the soul; the *a priori* of relation; *the innate you*' (Buber, 1979: 78 – his italics). Put differently, Buber tells us that being is already necessarily in relation to something other, and he argues that true being is being in correct relation, the relation of dialogue, between self and other, which is the relation of the I-You.

Buber (1979: 62) claims that: '[t]he basic word I-You can be spoken only with one's whole being. The concentration and fusion into a whole being can never be accomplished by me, can never be accomplished without me. I require a You to become; becoming I, I say You'. In order to truly realise myself, I require a You; I require being a being-with-others to become an authentic integrated self. Buber speaks of concentrating and fusing oneself, bringing one's 'whole being' into being. In other words, he is describing the proper integration of the self, which is the realisation of authentic selfhood. This can neither be accomplished by oneself alone, nor of course without oneself at all, but by correct relation between self and other that is the I-You.

The I-You relation is the phenomenon that made the life and death of the character Sydney Carlton ultimately meaningful in Dickens's (2003) *A Tale of Two Cities*. When first the reader encounters Carlton he is a disillusioned sardonic youth and a drunkard. He is totally self-involved and appears to care nothing for other people. Carlton's character exemplifies the I-I relation that Kauffman speaks of in his preface to Buber's (1979: 11) *I and Thou*. Carlton's character arc is the journey of a being's move from the hollowness of the I-I relation, which always prioritises the self and shuns the other, to the wholeness of the I-You. Dickens's novel is set in the time of the French Revolution; it ends at the height of the Terror in Paris. In the end Carlton choses to sacrifice himself to save the husband of the woman he loves, Lucie Manette. He goes to the guillotine in Charles Darnay's place for no other sake than hers. Consider Sydney Carlton's final thoughts before his death: '[i]t is a far, far better thing that I do, than I have ever done; it is a far, far better rest that I go

[2] Buber (1979: 59 – his italics) says the You 'fills the firmament. Not as if there were nothing but he; but everything else lives in his light'. There is certainly intimacy in the I-You relation thus understood, in which the You, the other, comes to colour one's perception of everything else.

to, than I have ever known' (Dickens, 2003: 390). The rest Carlton speaks of is not only the heavenly rest as understood theologically, but also the rest of consolation that is born by being in meaningful relation with the other, in his case by performing the highest sacrifice for the beloved You. This is an extreme illustration of the I-You relationship: dying for the sake of the other is the ultimate sacrifice of affection.

Victor Frankl (2008: 48-52) recalls in his reflection on being incessantly surrounded by death and the threat of death in a concentration camp that what the camp inmates discovered was that they could not generate their own meaning or purpose in life, but had to live for something that was not merely themselves. For Frankl it was the image of his wife that sustained his will to live. Who we are and why we remain at the perennially decaying grindstone of meaning is essentially because of and for others. A world in which only I or only you (as an I) exist would be like Sartre's (1947) *enfer* in *Huis Clos*: a hell of inauthentic conjurations in which no person develops the I-You relation[3]. But by reconciling the I and the you, I and you enter the condition of the first person plural that the I-You gives rise to, which is the *we*, and *we* become better placed to live authentic lives: by being reconciled with the other, we also become reconciled with our own limitedness, and are able authentically and meaningfully to say *I*.

Montaigne (1971: 35) asserts that 'the earlier acts of our lives must be proved on the touchstone of our last breath'. While this is appealing as a romantic notion, I can only partly agree with it, for surely it is the case that acts done are proven by virtue of their being done and can at best only be *modulated* by the subsequent act of dying. As with the earlier example of Sydney Carlton, for instance, death is the fulfilment of his life as sacrifice, however it does not qualify outrightly as good or bad or worthwhile *all* the actions he had ever undertaken over the course of his life. If he had gone to the guillotine sobbing, though not a heroic end, that would not necessarily entail that he had never been heroic at any point in his life. His heroic action to exchange himself for Charles Darnay in the prison would remain an act of heroism because the fundamental conditions of the act remain unaltered: *I* (Sydney Carlton) *have chosen to die that you* (Charles Darnay) *may live for the sake of her* (Lucie Manette). Thus, the 'touchstone of his last breath' cannot prove all the earlier acts of his life. It only affects some past acts by accentuating those that bear relevance to the meaning of his death, such as his moving pledge of affection to Lucie Manette (Dickens, 2003: 156-159), for whom, as we have seen, he will later choose to die.

Heidegger (1987: 284) notes that such a choice, to choose to die for another, is being-towards-the-end and not being-at-an-end. Thus, it is not so much the actuation of death that determines retroactively the meaning of one's life, but rather it is the possibility of realising death, apprehended over the course of life that gives living its meaningful intention of action. We are reminded of T. S. Eliot's (1963: 211) corollary proclamation on the matter of being-towards-the-end:

> "on whatever sphere of being
> The mind of a man may be intent
> At the time of death"[4] – that is the
> one action.

Heidegger's notion of the human existent as being-towards-the-end is closely mirrored by Eliot's view. Eliot is advocating for a sustained comprehension of being-towards-the-end as justification for 'the one action'. In

[3] In Sartre's (1947) play Huis Clos (No Exit) the three principal characters may all be said to be characterised by the I-I relation. They are wholly self-involved and fail to consider the other as other subjects worthy of genuinely felt consideration. The play is Sartre's take on hell, in which hell is having to spend eternity stuck in a banal hotel room with some other insufferable people – insufferable because inauthentic. Notably a most famous line of the play is 'l'enfer, c'est les Autres' (Sartre, 1947: 93), or 'hell is other people'. However, the line is spoken by an inauthentic person, what it conveys is that 'hell is inauthentic other people'.

[4] Eliot is here quoting Krishna's words to Arjuna from chapter 8, verse 6 of the Bhagavad Gita (Blamires, 1969: 103).

other words, the present and sustained cognisance of finitude presses one to value that which is most important and to pursue it: to perform 'the one action'. Being-towards-the-end is not a product of an occasional attitude, nor does it arise as the product of any attitude, but rather of a sustained comprehension of the human existent's thrownness in the world (Heidegger, 1987: 295). The fact that our existence seems contingent and to a degree random constitutes this thrownness into the world – as individuals, alone, and never able to bridge fully the void of this loneliness: these catalyse our anxiety.

The existentialist's claim that we are never able to overcome our fundamental affectation, anxiety, but rather it is part of the exercise of freedom by which the existent is able to self-actualise (Macquarrie, 1985: 170). If this is true then the freedom that we seek is from being ruled by anxiety, since to evade it would be to surrender the quest of self-actualisation; by confronting our anxiety about death we temper our anxiety about life generally and are more likely to reconcile ourselves to the world. We find ourselves situated consciously, and not by our own choosing, in the world: we discover ourselves *there*. The origin of *our there,* however, is mysterious. In laying out Heidegger's view Macquarrie (1985: 198) says: 'death, honestly accepted and anticipated, can become an integrating factor in an authentic existence'. This is why we have need for the consolation that being-with-others provides. We need to enter the fulfilling relation that death prompts us towards, which is the I-You relation; in so doing we necessarily self-actualise: self-actualisation constitutes integrating the self in the I-You and realising authentic selfhood. We are moved towards the other because of our thrownness in the world and the concomitancy of death. Death gives rise to our need for meaningful relationships; meaningful relationships in their turn help us to reconcile with death.

Nevertheless, Heidegger (1987: 297) notes that many people adopt an attitude of prevarication towards death: '[o]ne of these days one will die too, in the end; but right now it has nothing to do with us'[5]. Such an attitude merely conceals and alienates us from our own most possibility-for-being, which emerges as life is lived in the aspect of death (Heidegger, 1987: 298). Death's meaning as final possibility is the ultimate hermeneutical ordering principle in that life's finiteness enables and incentivises the pursuit of meaning and goodness in our lives. The honest acceptance of death, through anticipation, integrates the existent into his authentic existence (Macquarrie, 1985: 198). For that reason it should be embraced and not shunned. In the words of Kauffman (1959: 92): 'the man who accepts his death may find in this experience a strong spur to making something of his life and may succeed in some accomplishment that robs him of the fear of death'. In other words, by accepting death and taking seriously the limited time that we have, we are more likely to accomplish worthy things and build worthy relationships, which redeem us from the void of death through consolation.

In a certain sense, death as final constraint constrains a certain type of being into existence. Whilst it is possible to conceive of a deathless world, it is difficult to argue that the immortals inhabiting it would resemble us mere mortals. It is rather more likely that these immortals would resemble the Grecian gods than the human beings we are currently familiar with, equipped as we are with our imperfect systems of morality and value intuitions. Indeed, it is difficult to imagine that immortal human existents would retain these institutions as they would no longer be subject to the constraints under which they were conditioned: they

[5] Eliot echoes this sentiment in Burnt Norton: 'Go, go, go, said the bird: human kind / Cannot bear very much reality.' (1963: 190). The following 33 pages of poetry justify why we should try to bear it.

would be at liberty to exist in a state of perpetual vegetation, prevaricating life such that the existent never comes to grasp who and why the existent is (Thielicke, cited in Van Niekerk, 1999: 421). Furthermore, there is an intrinsically moral component to death in that, according to Van Niekerk (1999: 418), it 'is the call to distinguish right from wrong and value from futility; it is the call to sustained efforts at self-actualization'. We live by our (in)decisions and are subject to their effects throughout our lives. Consequences carry with them costs, and an authentic person will consider those costs seriously under the aspect of their possible death (which is at any and every moment an impending possibility).

For Gray (1951: 118), death is to be viewed as 'a fountain of possibility and potentiality', which, considered deeply and personally, will bring about a revolution in our everyday behaviour. Put simply, the transitoriness of life reminds and challenges us 'to make the best possible use of each moment of our lives' (Frankl, 2008: 150-151). For Thielicke (cited in Van Niekerk, 1999: 421), self-actualisation only occurs given the existent's awareness of the future and its limitedness. From the very existence of death, Van Niekerk (1999: 421) deduces that it makes sense to pursue a strategy of self-actualisation in order that we may realise our hopes concerning what it is we want to become. Human beings who have integrated the knowledge of their future death realise they are incomplete, alone in the world. This is why, as human beings conscious of the future reality of death, we seek after our ontological completion. We seek after an ontological completion which is both within and beyond ourselves, a completion in the other. In this we find hope for the consolation of loss, both of being-with-one-another when the other passes out of existence, and for oneself in the present anticipation of our own end of being-in-the-world-with-the-other.

3. Art, Love, Death: Self-Actualisation and Consolation Through an Ontological Aesthetics

In this section I will consider the existential implications of life understood as tragedy. I show that life experienced thus is opened not only to the existential terror, suffering, or angst that accompanies a reckoning with the possibility of death (Bradley, 2015: 409), but also consolation and a deepening of our acceptance of ourselves as bounded existents, in the sense of Heidegger's being-towards-death in everydayness. I argue that art can help us better integrate the idea of death into our existence, and the mode of art generally used to this effect is tinged with tragedy. 'Life as seen within the spectre of death is itself tragedy', says Van Niekerk (1999: 419), 'life plays itself off in a sequence of events culminating in death and is, as such, experienced as tragedy'. Tragedy aids us in this process of integration by relating our existence to the existence of others. Experiencing art is a mode of being-with-the-other. Art provides us with a subject matter (such as a situation, character, or musical movement, etc.) to which we are able to relate, and in so relating learn something about our existence. Thus, art as a mode of being-with-the-other spurs us to cultivate more meaningful relationships, and so spurs us to realise authentic being. Therefore, being-with-the-other, friendship, and romantic love are all incorporated in the ontological aesthetic inherent to the authentic bond of the I-You subject.

The artist 'may by his art cause us to notice features of the world or of things that had hitherto been concealed from us because our attention had been directed elsewhere', says Macquarrie (1985: 90) in his admittedly short discussion of art and existentialism. In the words of Eliot (2001: 6) we are 'Distracted from distraction by distraction' which leads us to be 'Filled with fancies and empty of meaning' giving rise to 'Tumid apathy with no concentration'. There are things in the world that draw our attention away from what is meaningful; such things direct our being away from the other as well as the reality of death, and so

diminish the possibility of our self-actualisation. It is unlikely that one could self-actualise living in a meaningless world of fancies, without the ability to feel passion or to concentrate. Aesthetics, on the other hand, has much to tell us about the meaning of the phenomenon of death, and the best works of art seek to lift us out of distractions and into the realm of the real and the true: they teach us to transcend ourselves in the direction of the other. Through art[6] we can channel our sense of what it means to exist by engaging in an intersubjective dialogue (that between artist and observer, which takes place as an intra-subjective dialogue, within the observer). 'Reading well', says Harold Bloom (2001: 19), 'is one of the great pleasures that solitude can afford you, because it is [...] the most healing of pleasures. It returns you to otherness, whether in yourself or in friends, or in those who may become friends. Imaginative literature is otherness, and as such alleviates loneliness'. Literature moves our focus outside ourselves, returning us to a state of being-with-the-other, and extolling to us the importance of being-with-the-other. The best art seeks to express via the naturally limited means available to it (language, the spatiality of canvas and oil) *the* fundamental aspect of our being as existents: and, as has been shown above, this necessarily incorporates death.

One of the seminal cases of tragedy and romantic love that binds the being-with-others of existence with the existential phenomenon of death is Wagner's *Tristan und Isolde*. Scruton (2013: 177) observes:

> In *Tristan und Isolde* the victims [of death] themselves are redeemed, and this redemption is to be thought of as a purely human achievement involving no miracles, no supernatural powers, no transubstantiation, but merely the aura of seclusion and inviolability that attaches naturally to the object of erotic love.

The Wagnerian conception of being-towards-death involves at its core redemption. Being a being-towards-death enables the existent to relate meaningfully to the other, and in the case of Tristan and Isolde this takes expression in erotic love. In Wagner's opera redemption is to be found in love: 'love is a relation between dying things. But love also includes, in its highest form, a recognition and acceptance of death' (Scruton, 2013: 13). To be redeemed is to be consoled, thus the existent is able to face up to and accept death. We come to understand by the Wagnerian example that an understanding of death involves the search for a consolation, perhaps the ultimate consolation (and it seems reasonable that the ultimate tragedy should seek out the ultimate consolation). Indeed, as Wagner and many others have realised, there is something about certain aesthetic works that speaks to humans about our mortal condition (Scruton, 2013: 3-14). These and their kind have been the conduit by which humanity has grasped the truth of its condition and, to varying degrees, made peace with it.

'To see life-until-death as tragedy, is to be exposed to catharsis in the continual effort to narrate the meaning of life', says Van Niekerk (1999: 422). Catharsis, as understood by Aristotle, is the purging of pity and fear (Scruton, 2013: 162; Van Niekerk, 1999: 422). If we are to narrate the meaning of our life we must live our life, and to live means to be burdened with possibilities and actualities; recognising each other as mortal beings we recognise that each of us is worthy of pity because we die, and subject to fear because of the frailty that life-until-death suggests. When we internalise the reality of life-until-death, says Van Niekerk, we are spurred to finding means for our catharsis. An observer can learn from the seminal tragedy of *Tristan und Isolde* that the catharsis they seek is only

[6] I make use of examples of art that I believe have an existential impact. They have such an impact, in my view, because they fundamentally address in their subject matter the issues of death, modes of relating to others and the idea of authenticity, so presenting us with conceptions of self-actualization.

attainable through an orienting of themselves towards life in such a way that they come to manifest their fate, by self-actualising themselves as a being-with-others. The observer, through their interaction with art, comes to the existential realisation that Tristan and Isolde's mutual need for one another mirrors people's need for authentic being-with-the-other to achieve the self-transcendence that actualising the self entails, which is the integration of the self as a being-with-others-to-the-end. Hence the plausibility that 'Tristan and Isolde … experience [their mutual] love as a will to die' (Scruton, 2013: 194).

As explained in the previous section, being-with-others (as opposed to merely being amongst them) is a definitive, rooted ontological aspect of our nature. Indeed, this being-with must be authentic if it is to be at all meaningful. Any ontologically meaningful relationship must be sincere: pursued not as a means to some end located outside of the other, but with the other himself as the end. Only by reconciling ourselves to those special people that have been lifted out of the minutiae of the everyday world either purposefully by us, or the other, or the chance of circumstance, can we become more than what we merely want to become: we become what we ought to want to become, which, in a certain sense, is what we were meant to become. The arts, furnishing us with no shortage of examples, crucially provide a means by which we may be reconciled with the other. In the popular song sung by Joe Dassin, *Et si tu n'existais pas*, the singer asks what his life would be like if a particularly significant person did not exist. He believes that without the significant other his life would have been just another trivial addition in a frenzied world, continually coming and going, but never dwelling or remaining meaningfully (Delanoë & Lemesle, 1975). In William Shakespeare's Macbeth, the titular character, Macbeth, is forced to take stock of just such a world in his final soliloquy by the suicide of his wife: Macbeth sees life as a 'brief candle', 'a walking shadow', a poor actor strutting out a performance, who looks forward to nothing after the termination of his days because they never really began. An inauthentic life is one such life (Shakespeare, 2010: 209-211):

> a tale
> Told by an idiot, full of sound and fury
> Signifying nothing.

The death of Lady Macbeth leaves Macbeth alone in the world, and so his life loses what little meaning it had for him. Through the example of Macbeth, viewers or readers of the play may come to understand that being-with-others is what enables us to live authentically as beings-towards-death.

Similarly, we have a vision of inauthentic existence in the character of Orwell's (2021) Gordon Comstock in *Keep the Aspidistra Flying*. Gordon Comstock is beset by a sarcastic and flippant attitude to the world in which he exists, an inauthentic world of ideology and disillusionment, buttressed by a very wealthy friend who pretends from time to time to share the burdens suffered by the working class. Comstock suffers crisis after crisis, each self-wrought and progressively more self-destructive, as he wrestles within his being to emerge from the inauthenticity that subjugates life around him, and which has also polluted his own being. He turns down a good promotion and quits his work, he severs himself from the one meaningful relationship he has, that with Rosemary, and he abuses the charity of his beloved sister to sustain himself in a terribly small, dark, and isolated single room, much inferior to his previous lodgings, in order that he may write in complete solitude an epic poem to rival the great poets. His attempt inevitably fails. But Comstock is redeemed when he accepts at the end of the novel the love of Rosemary, who succeeds in lifting him out of the inauthenticity of the purely idealistic world, which had troubled him so and had as its ultimate expression his all-consuming, though admittedly mediocre, poetic endeavours, and returning him to the world of genuinely felt interpersonal relations (Orwell, 2021). Thus, Rosemary saves Gordon from existential insignificance, and their relating to each other as a being-with-others is the precondition of their further self-formation. In Scruton's (2005: 91) words, 'the true task

of love […] is to know oneself as other, by knowing another as oneself'. Dassin's song echoes these observations (Delanoë & Lemesle, 1975):

> Et si tu n'existais pas
> Dis-moi comment j'existerais ?
> Je pourrais faire semblant d'être moi
> Mais je ne serais pas vrai.

The verse translated reads: '[a]nd if you did not exist, tell me, how would I exist? I could pretend to be me, but I would not truly be me' (author's translation). Dassin and Orwell, through their works, both enable their audience to realise that they cannot live an existentially meaningful life without their significant others. Such relations constrain our beings into growth both by example and by experience, for they show us our inadequacies and call us to reconcile ourselves to the world by living authentically, by being true to the self we have discovered, and wish to discover through our living. If we are not to fall into the trap of Macbeth, or become as the Hollow Men in T.S. Eliot's (1963: 86-89) haunting poem, impotent and unindividualised, we must relate authentically to the other, and we are brought to consciousness of this fact by our knowledge that death is an ever present and irrevocable possibility.

There is a mode of being for which the idea of self-actualisation has little purchase, at least in the way it is envisaged in this paper. I am referring to the postmodern orientation, which leads people to move from one experience to another, one state of being to another, all the while unwilling or unable to dwell on what they are and in the place at which they have arrived (Van Niekerk, 1999: 412). Van Niekerk's observation reminds us of a similar observation made by T. S. Eliot in his epoch defining poem *The Wasteland* (2009: 43):

> A crowd flowed over London Bridge,
> so many,
>
> I had not thought Death had undone
> so many.

The postmodern person is unwilling to integrate the possibility of death into their daily living, thus they are unable to dwell in a place, and instead speak incessantly of "space", being unable or unwilling to lay down roots[7]; the postmodern is in continuous movement, likened by Eliot to a deluge flowing over the bonds that connect the city: their frenetic style of life is so empty that to Eliot it was not life at all, but a shallow imposter from the shadow realm of death. 'Death is the impulse that generates the narrative quest in all of us. Without the reality of death awaiting us all, the interpretive integration which narrative facilitates, finds no impulse or sustenance' (Van Niekerk, 1999: 418). Integrating the reality of life-until-death is imperative for a person to be moved to 'narrate' as it were the meaning of their own life. Without such integration one loses the ability to interpret the meaning of one's life, and will likely fail to self-actualise. We self-actualise because of the anxiety that the threat of missed opportunity entails and because we are seeking a fuller existence, in which we tend towards the limit of being more whole than we are now.

Our lives are in need of consolation precisely because of our (necessary) consciousness of death; thus are we spurred to relation and reconciliation with the other, and not just all the others, but those that we come to identify and single out as special to us. Thus, may we succeed in realising the catharsis that tempers the pity and fear death would otherwise carry. In Ishiguro's (2005) *Never Let Me Go*, we are presented two youths, Cathy and Tommy, who grow up together at the same idyllic boarding school. Their love for each other develops slowly. However, all is not in fact Edenic. Tommy and Cathy, and all their peers, are clones who

[7] See Simone Weil's (1971) The Need for Roots for a related argument for dwelling.

are brought up for the sole purpose of "donating" their organs to their non-clone human progenitors. Towards the end of the novel, Tommy finally realises that he cannot escape his fast-approaching death. Such grief, when realised, is all-consuming, and can only be expressed by the mindless screams in the dark desolate field with which Tommy tries to drown out his fateful knowledge. Such knowledge has only one palliative – the other who also shares in his tragic factical burden (Ishiguro, 2005: 269):

> I reached for his flailing arms and held on tight. He tried to shake me off, but I kept holding on, until he stopped shouting [...]. Then I realized he too had his arms around me. And so we stood together like that, at the top of that field, for what seemed like ages, not saying anything, just holding each other, while the wind kept blowing and blowing at us, tugging our clothes, and for a moment, it seemed like we were holding onto each other because that was the only way to stop us being swept away into the night.

Ishiguro's protagonists embrace each other and become as one not for any pleasure but to console. 'Wisdom is truth that consoles' says Scruton (2005: vii); love, then, in its authenticity, is wisdom. Love is the wisdom that accepts the tragedy of finitude by overcoming the vacuous protests we emit into the night through the consolation that being-with-the-other provides. By reconciling oneself to oneself as a being-with-others, one is consoled by the presence of the other as fundamentally involved with one's being. Thus, the clones express a very human sentiment in confronting the reality of their impending death, something that might be expressed as "at least this will stand, for a time, and if it is to go, let us be taken with it, together". Ishiguro's reader is thus reminded of the tragedy that is the reality of their own death, but reminded also of the consolation to be found in being a being-with-others.

Figure 1: Christ carrying the Cross, by Bartolomeu Montagna (c. 1503). Ashmoleun Museum, Oxford.

For an example from fine art, consider Bartolomeo Montagna's (c. 1503) painting of *Christ carrying the Cross*[8] (Figure 1), which exemplifies both being-towards-the-end and being-with-others. Montagna's depiction of Christ is one of acceptance. In this painting we see an example of an existent that has accepted their own impending death, for Christ is carrying the cross on his back to the site upon which he will be crucified. His face shows a calmness that we may well wonder at in the face of death. However, calmness does not preclude tragedy, and the viewer may sense the tragedy either in the narrative context of the subject, the wounds apparent on his forehead and chest, or the pathos evoked by the dark palette surrounding his body. The painter has deliberately chosen for the subject's eyes not to be focused upon the viewer of the picture, and this is where being-with-the-other enters

[8] I make no religious claims in this short analysis of the painting, but rather I make claims arising from reflection upon the picture in and of itself and religion as a mode of being-with-others. Wherever I refer to Christ I refer only to the subject of the picture.

the frame; for Christ's sympathetic eyes are focussed upon someone who is not in the picture. The viewer, in perceiving this, may view the picture partly as a depiction of being-with-others-to-the-end.

But there is another way in which the painting lends itself to an interpretation of being-with-others. Scruton (2016: 2), in outlining Durkheim's view of religion, says: 'if Durkheim is to be followed, this is the core religious experience, the experience of myself as a member of something, called upon to renounce my interests for the sake of the group and to celebrate my membership of the group in acts of devotion'. In this view, the core characteristic of religion is membership of a community. There is a being-with-others fundamental to religion that can be seen in acts of renunciation and in acts of devotion. The painting of *Christ carrying the Cross* is an example through which Christians may relate to one another through the religious figure of Christ that symbolises unconditional love and an acceptance of death.

Love is the call that allows us to reconcile with death, and the ever-present possibility of death is the call to love. Love and death, then, are calls to self-actualisation; they show our being the way to authenticity, and give us reason to develop ourselves. Love and death, the self and the other reconciled as being-with-the-other-to-the-end, are thus like a tremulous tenor, calling from the quire of a cathedral, beckoning us to begin or resume our lives, gracefully: then, like conjoined souls swaying close together in the twilight, can we be consoled of death by life.

4. Conclusion

In conclusion, death should be an integrated consideration in our daily living. It is under the aspect of our finitude that human existence as we know it with its systems of mortality and value are maintained. Moreover, the reality of death spurs the creation of meaning because it places a limit upon our horizon, and invites us to consider not just the present moment, but the present moment in consideration of the future and our definite end. Indeed, the existential meaning and relevancy of death are to be found in how we integrate it, through a process of self-actualisation, as the final limit upon the possibilities that arise from our existence, and by which we discover who we could be. I submit that the strategy by which this can be achieved is through an existential consideration of the other as an ontological part of our being, and that we are aided in understanding this truth through an aesthetics that is existential, which speaks to our being. Such an aesthetic is rooted in the existent relating to others and the world. By self-actualising, the existent succeeds in integrating the self and the other and realises the authenticity of the I-You relation, so becoming an authentic being-with-others. Thus, by the reciprocal relation of art, love and death may one find consolation. The existent is moved to relate authentically to the other because of the finitude imposed by death, whilst the ever-present possibility of death enables the existent to forge meaningful relationships. Similarly, art as a mode of being-with-the-other informs the existent of the importance of self-actualisation and authentic being-with-others as a means of consolation, whilst death spurs the existent to art in search of that consolation.

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