Kant's Ethics and the Problem of Xenophobia in South Africa: Towards a Disgnosization of the Scourge and Establishment of Possible Panacea

By

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Abstract

Xenophobia, unequivocally remains a persistent and violent pathology in South Africa's post-apartheid democracy, which manifest in discrimination, prejudice, and lethal attacks against foreign nationals. This paper argues that the ethical theory of Immanuel Kant, particularly his concepts of the Categorical Imperative, universal human dignity, and cosmopolitan right, provides a powerful normative tool for diagnosing and addressing the philosophical underpinnings of this crisis. Kant's Categorical Imperative in its tripartite formulations, holds that an action is morally good when it's done without any inclination, gain or benefit, but done for the sake of duty. He went on to posit that human life should be used and treated as an end in itself rather than as means to an end. He holds that duty for obligation is not morally worthy, but duty for duty sake is morally worthy. The killing, torturing and subjugation of the foreigners in South Africa are xenophobic activities. The paper identifies the causes of such xenophobic actions in accordance with the report by the Human Sciences Research Council, as relative deprivation, specifically intense competition for jobs, commodities and housing; group processes, including psychological categorization processes that are nationalistic rather than superordinate are diagnosed as the causes of this scourge. The second formulation holds that in any sort of conflict between people, each person must be counted as *being of equal values* in the conflict. All must be treated equally with others in the eyes of the law. Kant holds that the dignity in every human person irrespective of race, status, economic, financial, educational and socio-cultural backgrounds, should be treated

equally like any human being in the world. The application of Kant's moral principle no doubt, condemns xenophobia and rather provides a philosophical theory to addressing the problem of xenophobia in South Africa, if adhered to. The South Africans will therefore see the foreigners and strangers in their land as equal in value like themselves, and treat them like themselves, while the fear, hatred torture melted on them will be put to an end. By moving the debate beyond utilitarian calculations of resource scarcity and towards a deontological foundation of moral duty, Kantian ethics demands a radical re-evaluation of how South Africans perceive and treat the foreigners.This paper will analyze the problem using the three formulations of the Categorical Imperative, and conclude by synthesizing the Ubuntu African Philosophy with the relevance of Kant's cosmopolitanism to critiquing xenophobia and upholding interconnectedness and equal treatment for coexistence.

Keywords: Kant's Ethics, Problem/Scourge, Xenophobia, Diagnosization, Panacea.

Introduction

Xenophobia is the fear or hate of the strangers, foreigners or guests by the original indigenes of a particular state, country, or nation. In South Africa, xenophobia has been a major problem. This problem has a long standing history traceable to the late 90s when the development of hatred and expression of fear towards the populously stunning and rapid growth of strangers or foreigners in their land (country) threatened and intimidated the ownership and original citizenship of the motherland. This problem became more pronounced in South Africa in 1994, however, it has always been there hitherto the 1994 riot. Between 2000 and 2008, more than 62 persons have been killed in South Africa. Xenophobia in South Africa reached its climax and gained wider knowledge and publicity in 2019 between 1st -5th September at Johannesburg riots caused by a xenophobia death of a mini-bus taxi driver accused of looting and civil disobedience. That riot had at least 12 persons dead and 680 persons arrested. Nigerian residents in South Africa were the most affected and victimized. In this paper, Kant's ethics is used in proffering solution to this problem.

The fundamental question therefore is 'how can Kant's ethics solve the problem of xenophobia in South Africa?' Pivotal to Kant's ethics is his *Categorical Imperative* and *Hypothetical Imperative*. For Kant, hypothetical imperative is a directive that should be followed if one must achieve an end. This he called prudential action because it is an action carried out in order to avoid consequences as well as to achieve one's end and without which such end will not be achieved. Kant's Categorical imperative on the other hand, is in three parts, versions or formulations. The first formulation of the categorical imperative states thus "act only on that maxim whereby thou canst at the same time will that it should become a universal law". The second part holds "So act as to treat humanity, whether in thine own person or in that of any other, in every case as an end withal, never as a means only." And the third formulation avers: "So act that your will can regard itself at the same time as making universal law through its maxims".

This paper therefore aims at solving the problem of xenophobia in South Africa using Kant's ethics most especially his categorical imperative. In doing this, the paper begins with a conceptualization of some key terms, Kant's ethics, xenophobia activities in South Africa as well as the application of Kant's moral principle in solving the problem of xenophobia in South Africa. A critical evaluation and conclusion will come last.

Conceptualization of Key Terms:

Clarification of concept is important inasmuch as it aims to rid ambiguity, equivocation and complexity of meanings. In this paper, Kant's ethics, xenophobia, and problem/Scourge, diagnosization (Diagnosis), and Panacea will be clarified. The background of Immanuel Kant and South Africa as a country will also be established.

The Notion of Ethics

Etymologically, the term *ethics* is a derivation of Greek word and Latin. Ethics from the Greek word *ethika*, from *ethos*, "character," "custom", which means the principles or standards of human conduct, sometimes called morals; and the Latin word *mores*, "customs", which, by extension, means the study of such principles, sometimes called moral philosophy. This article is concerned with ethics chiefly in

the latter sense and is confined to that of Western civilization, although every culture has developed an ethic of its own. Ethics, as a branch of philosophy, is considered a normative science, because it is concerned with norms of human conduct, as distinguished from the formal sciences, such as mathematics and logic, and the empirical sciences, such as chemistry and physics. The empirical social sciences, however, including psychology, impinge to some extent on the concerns of ethics in that they study social behavior. For example, the social sciences frequently attempt to determine the relation of particular ethical principles to social behavior and to investigate the cultural conditions that contribute to the formation of such principles.

Richard H. Popkin and Avrum Stroll defined as a code or set of principles by which people live (Popkin & Stroll 1993:1). Thus, one speaks of 'medical ethics' and mean by this phrase the code that regulates and guides the behavior of doctors in their dealings with each other and their patients. Again, one speaks of 'Christian Ethics' referring to the principle that prescribe the behavior of those who are Christians, such as the rules of conduct that are enshrined in the Ten Commandments. Thomas A. Shannon referring to ethics avers:

> Ethics, of course, has a problematic reputation. Many regard ethics as the 'nay-sayer' and dismiss it out of hand. Others reduce ethical arguments to opinion or taste and refuse to face arguments and conflicts. Still others use carefully developed principles and/or methodologies to consider various values and tease out hidden conflicts and complex relationships (Shananon 1997:5).

Shannon's view seems to place little or no emphasis to a particular code of conduct as universally acceptable for the rightness or wrongness, goodness or badness of action. He simply lays bare the arguments and problems in ethics: which ethical theory to be adopted and why? Should ethics-rightness or wrongness of action-be based on values of different tribes or people? Are the constituents of values same everywhere in the world? If yes, why the ethical sentiment? And if no, what then constitute the value of others against some others? These and the likes are the views of Shannon. However, Milton A. Gonsalves' reversed work, edited by Nancy K. Roberson titled: *Right and Reason* defines ethics in a more convincing manner thus:

> Ethics (moral philosophy, moral theory) is the study of the right and wrong in human conduct; it deals with societal custom and usage from the point of view of their rightness and wrongness. Societal acceptance of something as right or wrong is no guarantee of its rightness or wrongness. The reflective person would want to find personally the fundamental reason why something is right or wrong. Ethical theory (ethics, moral theory, moral philosophy) is the study which examines human conduct, social custom and usage, from the point of view of its rightness or wrongness, from the moral point of view, the point of view of what we ought to do to live a good (meaningful) life. The point of view of ethical ought is the moral point of view (Gonsalves 1986:3).

The notion of ethics according to Gonsalves in the above quote leaves no one in doubt or flummox. First, he admits that the rightness or wrongness of behaviour varies from society to society. Second, he acknowledges the fact that it is the society (particular society) that decides their rightness or wrongness of action according to their point of view of custom and usage; third, he holds that ethics (moral philosophy) examines the acceptable rightness or wrongness of action in each society vis-à-vis what ought to be the rightness of human behaviour or conduct.
A more closely definition to Gonsalves' notion of ethics is that of Pantaleon Iroegbu, who defined ethics thus:

> Ethics is the science and art of proper behavior. It is the branch of philosophy that studies human actions in terms of their being right or wrong, licit or illicit. In other words, it is the science of good and evil. The good is what is to be done and the evil is what to be avoided. It is also the science of what is permitted and may be done or what is forbidden and may not be done. In this perspective, ethics has to do with obligations and rightfulness in actions and indeed in decisions as well (Iroegbu P. 2005:20-21).

In the view of Anthony O. Echekwube, "ethics is the branch of philosophy that studies the actions of the human person relative to right or wrong" (Echekwube 2005:29). In his view, ethics deals with the reflected doings and the morality of the

human person. Echekwube made a distinction between *human acts* and *acts of man.* The former he called *actus hominis* and the latter *actus humanis*. According to him, the former is involuntarily done without any choice of freedom such as sneezing, yawning, snoring or reflex acts; while the latter he said is voluntarily done with full choice of freedom, knowledge and intention. The former cannot be regarded as an ethical or moral acts because it cannot be adjudged right or wrong, good or bad since they are involuntarily done without freedom of choice. In his view, it's the latter *actus humanis* that can be regarded as ethically right or wrong, good or bad since it's done with full choice of freedom, with the use of full faculty of reasoning which visualizes the truth in conformity to reality and in accordance with the dictate of the intellect.

While the intellect throws open the possible choices to man in deciding what to act upon, the reasoning faculty weighs the degree of values attached to each of them and decides which one best suits the moral agent at the moment and in the overall interest of the human project, as a being destined for eternal happiness (Echekwube, 29). It therefore means that the notion of ethics is not primarily concerned with every acts of man, but only those acts that man does with full consciousness, freedom and intention.

Pursuant to the foregoing definitions of ethics, it is therefore noted that ethics is the scientific study of human behavior, character, conduct or action whether it is right or wrong, good or bad. It is established that different societies have their cultural/traditionally valued system upon which their acceptance of moral conduct is built. Pivotal to this work, is the understanding of Kant's ethics and how it can be used or applied in the resolution of the problem of xenophobia in South Africa.

The Notion of Xenophobia

According to *The New International Webster's Comprehensive Dictionary of English Language: Deluxe Encyclopedic Edition* (TNIWCDEL 2010), the term xenophobia is defined as the "dislike of strangers or foreigners" (2010:1455). It is the fear and hatred of strangers or foreigners. According to the *Dictionary* 'xenophobia' is the excessive or unreasonable fear or hatred of foreign people or things (*https://www.wordsmyth.net* accessed 09/12/2021).

Xenophobia has been become a recurrent phenomenon in Africa. It often occurs with attendant consequences for lives and properties, and inter-state diplomatic relations. Though globalization has purportedly conscripted the world into a concise village where everyone is recognized as a global citizen, ethnic and identity consciousness still define the basis for cross-border interactions. The search for greener pasture defined in terms of economic prosperity through gainful employment, conducive environment for skill acquisition and self-actualization, access to modern infrastructure and academic pursuit usually exacerbates immigration. However, the citizens of host countries tend to display hostilities and hatred towards non-nationals as competitions for resources become tense (*https://www...*). This paper examines the context of xenophobia in South Africa and how it can be solved using Kant's ethical theory known as *Categorical Imperative* which states that …. The paper revealed that while xenophobic experiences in Nigeria during the 1980s was fuelled by the economic crisis that plagued the oil-rich country due to the collapse in oil prices in the international market, the South African experiences has been linked to apartheid. In conclusion, xenophobia can unscrupulously impact the political and economic development aspirations of the African people and governments and erode the basis of Pan-African relations that have defined Africa's struggle against colonialism, apartheid, and slavery.

The Notion of Problem (Scourge)

The term 'problem' is used to depict the unrest situation and torture experienced by non-nationals of South Africa. This situation is a problem in that it affect the foreigners and South Africans negatively. *Microsoft Encarta Premium DVD 2008* defines problem solving as "the basic intellectual process that has been refined and systemized". *The New International Webster's Comprehensive Dictionary for English Language* defined the term thus:

> A perplexing question demanding settlement, especially when difficult or uncertain of solution. (It is regarded as) any puzzling circumstance or person. (It has to do with) presenting and dealing with a problem especially a moral, sociological or emotional problem (TNIWCDEL 2010: 1004-5).

From the foregoing, the term 'problem' connotes a situation of uncertain solution. It's a condition that is unfavourable and constitute burden to peace. In the case of xenophobia in South Africa, whereby strangers and foreigners in the land are discriminated against, disliked, hated, tortured, ill-treated, dehumanized, segregated and subjugated, the nation is said to be facing a serious problem. It is this problem that this attempts using Kant's ethics in providing a panacea to.

The Notion of Diagnosization

The notion of 'diagnosization' is a derivation from the Greek and new Latin *diagnosis* and *diagignoskein* respectively. The concepts mean *cause* or *nature* of a disease or sickness. From the English translation: *diagnosis*, the word come to mean the art or act of identifying a disease from its signs and symptoms. It is also the decision reached by diagnosis. "It is the investigation or analysis of the cause or nature of a condition, situation or problem." Diagnosis is a medical term, statement or conclusion from an analysis as a result of a problem or an issue. The word has been in English usage since 1634.

Diagosization is a coinage from the medical *diagnosis* to mean an investigation and its result in a bid to proffer possible solution to a problem or issue. The word is used in this paper to connote an investigation into the casue or nature of the problem of xenophobia in South Africa, with the aim of providing lasting solution to it. It is an inquiry carried out with the use of a philosophical tool to end the xenophobic activities and its related consequesnces as well as implications on South Africans and the foreigners respectively.

The Notion of Panacea

Etymologically, *panacea* is a borrowed concept from the New Latin which means *'universal remedy, cure-all'.* Same term is borrowed from the Greek *panakela* which means "name of a medicinal plant, universal remedy as a personified abstraction and a goddess of healing. The word is further dissected to mean 'all healing' from the Greek *panakes.*

From the etymological understanding, the term panacea means cure or remedy to a problem or issue. It is a remedy for all ills or difficulties. In the context of this

paper, the concept is used to connote the possible solution that this paper provides using Kant's ethical theory known as categorical imperative with particular reference to its tripartite formulations. Thus, the relevance of the term is hinged on the sole aim of providing lasting remedy (cure) to the problem of xenophobia in South Africa. This is the crust of this paper.

Immanuel Kant: A Brief Historical Background

Immanuel Kant was born in Konigsberg, East Prussia, on April 22, 1724. His parents were Pietists, a set of Protestants who lived severe, puritanical lives and experienced faith and religious feelings over reason and theological doctrines. Immanuel Kant was German Philosopher and one of the foremost thinkers of the enlightenment era of the late 18th century. His comprehensive and systematic work in epistemology (the theory of knowledge), ethics, and aesthetics greatly influenced all subsequent philosophy, especially the various schools of Kantianism and Idealism. Suffice to say is the fact that Kant's best known work is his *Critique of Pure Reason.* However, his moral philosophy is a philosophy of freedom. For him, without human freedom, moral appraisal and moral responsibility would be impossible. Kant believes that if a person could not act otherwise, then his or her act can have no moral worth.

Immanuel Kant is very important today because of his continuous on modern politics. His ideas, his practical philosophy, his ethical theories such as the categorical imperative and his Critique of Pure Reason, Critique of Judgment, etc. All these thoughts constitute the philosophy of Kant.

An Expose of Kant's Ethics: Categorical Imperative

Kant's ethical view stemmed from the notion of David Hume's moral philosophy which gives pride of place to our natural feelings or sentiments, and links moral approval to what is useful or agreeable for human life. Kant in the 18th century opposed Hume's view. He started by making a distinction between what is good merely as a means to an end, and what is intrinsically good or good in itself. For Kant, good health, contentment and happiness are not moral worthy. It is only a *good will* that has pure value in itself, shining like a jewel for its own sake that can be regarded as a morally praiseworthy act. He opined that help rendered to others

out of warm feelings and human sympathy are acts of personal inclination (intent), that only act without inclination, from the sake of duty alone, can be regarded as a genuine moral worth.

Thus, for Kant, the moral agent is someone who "acts of principles". In response to the question, 'what is the guiding principle of action?' Kant said that the guiding principle of action 'Is that actions are right if they conform not to any particular inclination or desire, but to a universal law' which states: "I ought never to act except in such a way that I can also will that my maxim should become a universal law" (Kant quoted in Cottingham's *Western Philosophy & Anthology* 1996, 2008: 507). He argues further that deliberately breaking a promise for personal advantage is thus forbidden, since I cannot rationally will that everyone should act in such a way- if I did, the whole institution of promising will collapse. This notion of Kant is called *Categorical Imperative,* precisely the first version of the three versions of his categorical imperative. Elaborating this view of Kant, Cottingham avers:

> Most commands or recommendations such as sit down, have a glass of wine, get down to work, take a holiday etc. are hypothetical in character because they tell us to do something if we want a given result. But his categorical imperative is unconditionally binding. Thus, his notion of morality tends to provide a necessary rather than a sufficient condition for morality (Cottingham 1996, 2008:507).

Kant's second version of *Categorical Imperative* states that man should not be used as means to an end but as ends in themselves. This is stated in Kant's words thus: "Act in such a way that you will always treat humanity, whether in your own person or in that of another (any other), never simply as a means, but always at the same time as an end" (508). Kant's moral position is capable of solving the problem of xenophobia and other related issues in South Africa if its application is adhered to.

Kant's moral vision is of a kingdom of end where no one is used simply as a means to furtherance of someone else's projects, but each human being accords to all other humans, the right to respect as a rational, self-determining agent. It is only the *good*

will that can be conceived in the world without qualification, says Kant. Making this point more lucid, Cottingham, John quoted Kant saying:

> A good will is not good because of what it effects or accomplishes- because of its fitness for attaining some proposed end: it is good through its willing alone- that is, good in itself. Considered in itself it is to be esteemed beyond comparison as far higher than anything it could ever bring about merely in order to favour some inclination or, if you like, the sum total of inclination (2008:507).

Kant holds that irrespective of the condition or situation, the *good will* remains sacrosanct because it seeks for good for itself, not for some favour or privilege. Even though for any reason, the good will is entirely lacking in power to carry out its intentions but left with the good will alone, the good will still shines like jewelry for its own sake. Stating this point clearer, Cottingham quoted Kant saying:

> Even if, by some special disfavor of destiny or by the niggardly endowment of stepmotherly nature, this will is entirely lacking in power to carry out its intention; if by its utmost effort it still accomplishes nothing, and only good will is left…even then, it would still shine like a jewel for its own sake as something which has its full value in itself (Cottingham, 2008:507).

In Kant's view, a 'moral action' is not dependent on the judgment of anyone. Its usefulness or uselessness adds nor subtracts anything from what it is, the *good will.* The good will does not need commendation, because it is a self-seeking act that is intrinsically good in itself. Reason for Kant, is not a sufficiently serviceable agent for guiding the will safely as regards its objects and the satisfaction of all our needs. Reason for him, has been imparted to human as a practical power to have influence on the will as its true function, which is to produce a will which is good, not as a means to some further end, but in itself, and for this function, reason is absolutely necessary in a world where nature, in distributing her aptitudes, has everywhere else gone to work in a purposive manner (508). Such will in Kant's view is the highest good, not just any mere good, and it is the condition for all our demands and happiness. This implies that if the demands of man is happiness, then, the condition to attain it is the highest good according to Kant. It means that the highest

good is the *good will* which is good in itself and will not allow one to perform or act for certain benefit or profit, but certainly for the sake of duty. He stated categorically that any action carried out to attain some benefit or gain is opposed to the good will which is duty for the sake of itself not for personal or certain benefit. "I will here pass over all action already recognized as contrary to duty, however useful they may be with a view to this or that end; for about these the question does not even arise they could have been done for the sake of duty" inasmuch as they directly opposed to it (507). Actions that accord with duty are also set aside especially when such actions have no immediate inclination, but they are performed because they are impelled to do so by some other inclinations. He made a distinction (a difficult one) between action which accords with duty and action done for the sake of duty.

The third version or formulation of Kant's categorical imperative is **the principle of autonomy** which states: "So act that your will can regard itself at the same time as making universal law through its maxim" (Kant, retrieved from *https://www.indianhills.edu* accessed 14/12/2021 @ 7:00pm). This version holds that we are not to depend on others to tell us what is right and wrong, but that we are free and able to discover this for ourselves through the use of reason. It is important to that for Kant, the responsibility for discovering and performing the morally right action rest firmly with each individual. For Kant, we are to use our ability to reason to help us apply the categorical imperative to moral questions, and make our decisions, rather than relying on someone else to tell us what to do. In his view, the excuse, "I was only following orders", does not excuse anyone from doing something morally wrong.

It is noted that South Africa's transition to democracy was heralded as a triumph of human rights and dignity. However, this promise has been persistently marred by outbreaks of violent xenophobia, primarily targeting migrants from other African nations, Asia, and elsewhere (Crush & Tawodzera, 2017). The drivers are often cited as socio-economic: competition for scarce jobs, housing, and public services, exacerbated by high inequality and unemployment (Misago, 2019). However, while these are significant causal factors, they do not fully explain the moral failure—the dehumanization and violent exclusion of the other. A purely

pragmatic or utilitarian response, which might focus on resource distribution alone, fails to address the underlying ethical vacuum that permits one human to deny the humanity of another.

Xenophobia in South Africa: A Historical Perspective

According to a South African Migration Project (SAMP) survey conducted in 2001, South Africans take an extremely restrictive view towards immigration by international standards. 21 per cent wanted a complete ban on the entry of foreigners and 64 per cent wanted strict limits on the numbers allowed entry. South African respondents were also asked what percentage of their population they believed to be 'foreign' and what percentage of that number was perceived to be in the country illegally. The answers were 26.9 and 47.9 respectively, demonstrating that perception is at the heart of xenophobic discourse (Crush and Pendleton 2004). Nyamnjoh (2006) expresses the problem succinctly:

> With inspiration from the apartheid years, South Africans sometimes subject Makwerekwere [a derogatory term used for a black person who cannot demonstrate mastery of local South African languages and who hails from a country assumed to be economically and culturally backward in relation to South Africa] to the excesses of abuse, exploitation and dehumanising treatment on the basis that they have the 'wrong colour' to invest in citizenship. The rights of undocumented Makwerekwere are particularly severely circumscribed as they are reduced to living clandestinely and being exploited with virtual impunity by locals enjoying the prerogatives of citizenship (2006: xx).

The manifestation of xenophobia undermines social cohesion, peaceful co-existence, and good governance, and constitutes a violation of human rights. Furthermore, as South Africa is party to international human rights and humanitarian treaties, especially on refugees and asylum seekers, obligations to combat xenophobia have both a legal and a moral force. As a liberal democratic country fostering the New Partnership for Africa's Development (NEPAD), the Southern African Development Community (SADC) and the Africa Union (AU), South Africa is hardly in an ethical or an economic position to close its borders.

Such organizations were set up to encourage fraternity and greater regional cooperation and integration. To allow citizens of one-member state to think and act in xenophobic ways about citizens of another, is ultimately extremely destructive of regional cooperation and harmony (Crush and Pendleton 2004).

Beyond the moral implications of allowing xenophobia to continue unabated, an additional worry for the government should be its international image. The South African expression of intolerance towards their fellow Africans has attracted analysis from all over the globe due to its somewhat hypocritical nature. Migration is a sign of South Africa's emergence as Africa's preeminent economic, educational and cultural centre; and from an international perspective it is seen as something of a duty to share this prosperity with its African counterparts. As Landau (2004) contends, 'the promises of freedom and prosperity are resonating beyond the country's borders' and so it seems only reasonable that this ray of hope for the rest of Africa will attract migrants from less privileged situations.

Of course, this is a somewhat liberal perspective, but the point is that South Africa cannot afford to appear xenophobic and at present, the issue is manifesting itself in a way that is attracting an increasing amount of international attention. Riots and violent attacks have been the result of hatred targeted at immigrants; for example, in the Eastern Cape in early 2007, resentment towards Somalis from locals for supposedly stealing trade and jobs led to rioting that caused the death of over three dozen Somalis. In a similar but more serious case, rioting in Zandspruit due to the mere presence of 'illegal' immigrants, culminated in more than 100 informal Zimbabwean dwellings being burnt down.

African migrants have experienced systematic xenophobia in their contact with state authorities, in particular with the police but also with Home Affairs officials and Lindela (the notorious repatriation centre for refugees) employees (Nyamnjah 2006). Whilst xenophobia persists amongst state authorities, it also persists amongst the general public and the issue of xenophobia can only continue to become ever more serious.

The Scourge of Xenophobia in South Africa

The post-apartheid era in South Africa has been marked by a steady undercurrent of xenophobia, both attitudinal and behavioral. Data from the 1995 World Values Survey showed that South Africans were the most xenophobic nation of the 18 included in the sample (Mattes et al., 1999). A 1998 survey found similarly xenophobic sentiments: Large majorities of the sample of South Africans supported policy proposals that foreigners should carry identification at all times (72%) and that South Africa's border fence should be electrified (66%) (Crush, 2001). Eight years later, in 2006, xenophobic attitudes were just as prevalent: A survey conducted that year found that almost half of the South African sample wanted foreign nationals, regardless of their legal status, to be deported (Southern African Migration Project, 2008). The results of this same survey showed that antipathy to immigrants is not restricted to certain South African in groups, or certain national out groups: The proportion of the sample holding a favourable view of immigrants did not exceed 26%, no matter whether the sample was restricted to blacks or whites, or whether respondents were queried about immigrants from Africa, Europe, or North America.

African migrants are, however, the immigrant group most likely to experience the behavioral consequences of xenophobia. Everyday discrimination is frequently encountered, especially by nationals of Central and West African countries (Morris, 1998; Dodson, 2010). Vigilante attacks on immigrant individuals, particularly shopkeepers, are disturbingly common (Harris, 2001; Charman & Piper, 2012).

One such incident of mob vigilantism occurred on the evening of 11 May 2008 in Alexandra township in Johannesburg. A crowd in the largely Zulu-speaking Sector 2 of Alexandra gathered and began chanting anti-immigrant slogans such as "Phansi amakwerekwere" – Zulu for "Down with foreigners" (Nyar, 2010). Several smaller groups split off and went door to door searching for foreigners. Anyone who could not pass their test, to provide the Zulu word for "elbow," was beaten.

In contrast to previous incidents, the violence only intensified over the following days. By 14 May, Alexandra was in uproar, with thousands of residents attacking anyone thought to be foreign, looting and destroying their homes and shops, and

clashing with police. This pattern of violence then spread to other townships in and around Johannesburg, including Diepsloot, Tembisa, and Thokoza. By the following week, violence was occurring in downtown Johannesburg and parts of Cape Town.

This xenophobic violence – as it is now called – finally abated after three weeks, leaving 62 people dead, 670 wounded, and 100,000 displaced (Misago et al., 2010). Zimbabweans and Mozambicans were particularly well-represented among the victims (Monson & Arian, 2012). Twenty-one of the dead were, however, South African nationals, perhaps mistaken for foreigners, punished for not participating in the violence, or the victims of police aggression.

Official reaction was slow in coming. Government then denied that xenophobia played a role in the violence, instead blaming criminals or "third forces" (Landau, 2011). A flurry of research and policy papers followed, from both the academy and government (for example, South African Human Rights Commission, 2010; Human Sciences Research Council, 2008). Yet policy recommendations were not heeded, or did not make a difference, because between the end of the 2008 attacks and April 2015, 350 foreigners were killed because of their perceived national origins (Hall, 2015). And in April 2015, spurred on by inflammatory remarks from the Zulu monarch, King Goodwill Zwelithini – who referred to African foreigners as "lice" – another widespread wave of attacks took place (Hall, 2015). The violence began this time in Durban before spreading to Johannesburg. Once again, townships, shantytowns, and inner cities were the affected areas. Although the death toll was lower than in 2008, with eight deaths attributable to xenophobia, the international reaction was more marked. The UN Security Council issued a sharp criticism, as did the leaders of Zimbabwe, Mozambique, and Malawi, while Nigeria, South Africa's rival for continental dominance, recalled its ambassador. The fundamental question is, how can this problem be resolved or addressed?

This is where the philosophy of Immanuel Kant (1724-1804) becomes critically relevant. Kant's deontological (duty-based) ethics provides a robust philosophical methodology cum ethical theory for establishing moral principles that are universal and unconditional. By centering moral worth on rational agency and the

capacity for autonomy, Kantian ethics offers a powerful rebuttal to the prejudices that fuel xenophobia. This paper contends that applying Kant's formulations of the Categorical Imperative, his conception of human dignity, and his idea of cosmopolitan right can form the foundation for a more just and inclusive South African society.

Panacea to the Scourge of Xenophobia in South Africa Using of Kant's Ethics

Having established Kant's ethics and examined the problem of xenophobia in South Africa, the fundamental question is 'how can Kant's ethics address the problem of xenophobia in South Africa?' In response to this question, Kant's *Categorical Imperative* comes to play here, hence, it is the fulcrum of his ethics as thoroughly explicated above. It is recalled that Kant's ethics centres on his Categorical imperative which has a tripartite version/formulation. Thus, three formulations of Kant's Categorical Imperative will be examined to addressing the scourge of xenophobia in South Africa.

1. The First Formulation: Universal Law and the Maxim of Exclusion

The cornerstone of Kant's moral philosophy is the Categorical Imperative. Its first formulation states: "Act only according to that maxim whereby you can at the same time will that it should become a universal law" (Kant, 1785/1997, 4:421). A maxim is a subjective principle of action. The xenophobe might act on a maxim such as: "I will exclude, harass, or violence against foreign nationals to secure more resources for myself and my community." The Kantian test is to universalize this maxim. Could we will a world where everyone acts on this principle? The result would be a state of perpetual, chaotic war of all against all, where the very concept of community and mutual security collapses. It is a logical contradiction to will a principle that, if universalized, would destroy the conditions for any stable society, including one's own. As Kant scholar Christine M. Korsgaard explains, the test reveals that such a maxim is fundamentally self-defeating and thus morally impermissible (Korsgaard, 1996). This formulation prohibits making exceptions for oneself. The xenophobic actor places themselves and their in-group outside the moral rules they would undoubtedly expect to be upheld were they the minority in another land. Kantian ethics dismantles this hypocrisy, insisting on a single, universal standard of conduct for all rational beings.

First, it is made clear that Kant's ethics argues that for any action to be adjudged a moral action, such action must be done for the sake of duty **'good will for itself**', not for the accords of duty, such action should be such that can be universalized. For instance, if stealing is good, it means that such moral principle should be universalized- meaning everybody should steal- and if such action cannot be universalized as a moral principle, then, it does not stand any moral worth. Lawhead, William avers: a maxim is a general rule that tells us what we should and what we should not do (Lawhead, 2002: 342). Lawhead quoted Kant's Categorical imperative thus: "There is, therefore only one categorical imperative. It is: Act only according to that maxim by which you can at the same time will that it should become a universal law" (FMM 39 in Lawhead 2002:342).

Equating this maxim to the xenophobic activities in South Africa, it is lucid that Kant would wish the south African people to universalized hatred, humiliation, dehumanization, killing and maltreatment of strangers and foreigners simply because of fear of being dominated and over powered. It implies that any South African, and by implication any stranger to any nation or country should be maltreated, hated, killed, etc, simply because he/she is a stranger; and if that law cannot be made a universal law, Kant argues that it does not stand the glass of moral worth. This principle is known as the principle of **conformity to Universal Law**. It is the first formulation/version of Kant's categorical imperative.

By this formulation, Kant argues that suppose you need to borrow some money but to do so, you must promise to repay even though you know fully well that you will not be able to keep the promise. If Kant's principle is applied here, you will discover that the maxim on which you are acting is "if I need to make a promise I may do so even though I do not intend to keep it" (Lawhead 2002:342). The fundamental question is that could anyone rationally will that this would become a universal law that everyone followed? Surely not: if everyone adopted this rule, promise making would be meaningless and there would be no point in making and accepting promises. Applying this principle to the problem of xenophobia in South Africa, it is therefore clear that no South African would wish that what they do to strangers/foreigners in their land be done to them in another man's land, let alone

universalized it. Thus, Kant's conformity to a universal law dismisses the hatred and torture melted on strangers and foreigners in their land.

2. The Second Formulation: Humanity as an End in Itself and the Rejection of Instrumentalization

The most direct Kantian weapon against xenophobia is the second formulation of the Categorical Imperative: "Act in such a way that you treat humanity, whether in your own person or in the person of any other, always at the same time as an end, never merely as a means" (Kant, 1785/1997, 4:429). Xenophobia is the quintessential violation of this principle. It reduces foreign nationals to mere instruments—scapegoats for political grievances, obstacles to economic opportunity, or faceless entities devoid of intrinsic worth. They are treated as a means to vent frustration or to solidify in-group political power, never as ends in themselves.

Kant grounds human dignity not in nationality, ethnicity, or citizenship, but in rational nature—our capacity for autonomy and moral agency. This provides a profound philosophical basis for human equality that transcends all arbitrary borders. For Kant, every individual possesses an unconditional worth, an "dignity," which commands respect (Kant, 1785/1997, 4:435). To deny a person a job, housing, or safety, or to subject them to violence based on their origin, is to fundamentally deny their status as a rational being worthy of equal respect. It is to claim that their capacity for setting their own ends and living a life of value is somehow inferior, which Kantian ethics declares is a fundamental moral error.

The second formulation/version of Kant's categorical imperative is the principle of '**Persons as Ends in Themselves**'. This version of Kant's categorical imperative is quoted in Lawhead's *The Voyage of Discovery* thus: "Act so that you treat humanity, whether in your own person or in that of another, always as an end, and never as a means only" (FMM 49 quoted by Lawhead, 2002:343). This means that each person has intrinsic worth and dignity, and that we should not use people or treat them like things. In his view, if mere cars, houses, art works, etc have value that are accorded them by human being, why can't fellow human beings with equal intrinsic value treat themselves as ends in themselves rather than means to an end?

The plethora of history of xenophobis activities in South Africa treat, regard nor acclaim any stranger/foreigner as such an end, instead they treat strangers/foreigners as means to their selfish ends. Taking human life, maltreating them and dehumanizing strangers/foreigners is a violation of human dignity: it is a devaluation of the intrinsic value inherent in every human person. In other words, the whole idea of strangers/foreigners does not come to play in Kant's notion of morality. Xenophobic activities in South Africa simply reduces the dignity of human person just to achieve some gainful ends at the expense of others. Buttressing Kant's implication of the second principle/formulation/version of categorical imperative: 'Persons as Ends in Themselves' Lawhead asserts:

> Mere things such as cars, jewels, works of art or tools have value only if persons endow them with value. In other words, a Rembrandt painting will sell for $1million only because many people desire it. Accordingly, such things only have conditional value because if people stop desiring them, they will be worthless. However, insofar as persons are noumenal selves that transcend their empirical appearances, persons are not things. Since persons are the source of all conditional value themselves, but have absolute or intrinsic value. No one can give you your worth as a person, nor can he or she take it away Lawhead, 2002: 343).

The application of this moral principle to the act of killing, hating, dehumanizing and subjugating foreigners in South Africa is a display of inhumanity to humanity; it is an outright use of foreigners/strangers in their land (South Africa) as means rather than using them as ends in themselves. Foreigners/Strangers in South Africa are merely used as means to the end desires of the South African nationals; they could not see them as fellow humans like themselves with equal intrinsic value rather they see them as sub-human beings, less privileged persons and debased individuals that can be used and dismissed at any time. Little wonder Lawhead asserts:

> An acquaintance may treat you like a thing, the only value of which is to serve his or her ends, but this is being inconsistent. Such a person is acting as though he or she alone is absolute value, while others are mere things to be used. Thus the person is following the

> maxim 'I will treat others as things', but not consistently persuade others to follow this rule in return. Thus, the person is making him- or herself an exception (343).

Pursuant to the foregoing, it is lucid that xenophobic activities depict inhuman, cruel and immoral actions to man. It also means that the champions and vanguards of xenophobic activities make themselves exceptions to Kant's moral principle as well as their acclaimed principle of 'treating others as things', because they may not wish it to be universalized, since they may be treated as things if universalized. From Kant's view, it means also that no one person or individual have more value than the other. For every human life have equal intrinsic value, as such, they must be respected and treated as ends in themselves, not as mere means to achieve some desires.

It should be noted that sometimes, it may seem as though we cannot avoid using persons/people as things to serve our own end and interest. Kant argues in such situation that we should treat the persons "always as an end and never as means to an end only". Hence, even in impersonal transactions where we are mainly interested in a person for the services that he or she can perform for us, we should never act in a rude or manipulative manner. Xenophobia in South Africa is caused by so many factors such as the overpopulation of the foreigners, overwhelming success and achievement of strangers in their land, the economic empowerment and key job opportunities and positions occupied by the foreigners, the seemingly domineering of their land in virtually every facet, business, public service, education etc, and its effects on the shrinking nationals. There is no doubt that few factors mentioned among others are capable of causing xenophobia in any country, but the application of Kant's moral principle to this problem, is a resolution or panacea in that the South African nationals must understand that migration from one country to another for greener pasture is a reality. as such, they should also know that not all South African nationals reside and work in South Africa. Others may be in one country or the other for greener pasture as strangers or foreigners to the nationals of those countries, and may even be doing well than the nationals. Such success or huge achievement in a foreign land does not call for fear, dislike, hatred and anger etc, but calls for collaboration, respect and value, knowing that

what defines the value of human life is not wealth, money, achievement, or any behavior or character, but that the value of human life transcend any material thing in this life. Every human life has intrinsic value, whether rich or poor, big or small, slim or fat, tall or short, educated or illiterate, to mention but a few. So long as the person is a human being, Kant holds that such person(s) should be treated equally rather than discriminating and segregating for the very fact that he or she is a human person. Summarizing this second formulation of Kant's categorical imperative, Popkin R.H. & Stroo, A. aver:

> This formulation of categorical imperative has a long tradition in the history of ethics. It is another way of stating such maxim 'Do unto others as you would have them do unto you'. It is an injunction to us to respect other people because they are rational human beings like ourselves (Popkin, R.H. & Stroll,A. 1993:40).

Following Kant's view, it means that the foreigners should not be treated as strangers but as fellow human beings like themselves, as such, there will be no hatred or fear let alone display anger or violence towards them, since doing so to them implies doing same to themselves having equal value and dignity as rational human beings. In this way, there will be no unnecessary competition among them, as such, peace, love, understanding and harmonious coexistence shall take place in South Africa and xenophobia will be a thing of the past. Seeking for national rights, privileges, superiority over the inferiority of the foreigners, subjugation, maltreatment, dehumanization and impoverishment of the strangers for any reason, is not coterminous with the ethics of Immanuel Kant. Every of such acts aim at seeking some gainful interest for themselves. They therefore use the strangers as means to an end instead ends themselves. This perspective forces a re-framing of the public discourse in South Africa. The question cannot merely be "What do we gain or lose from immigration?" but must be "What is our moral duty towards other human beings, irrespective of their origin?" This shifts the debate from utilitarian calculation to deontological obligation.

3. The Third Formulation: The Kingdom of Ends and Cosmopolitan Right

The third formulation of the Categorical Imperative envisions a 'kingdom of ends' which is a systematic union of rational beings through common objective laws

where each member is both sovereign and subject (Kant, 1785/1997, 4:433). This idea extends beyond national boundaries into Kant's political writings on cosmopolitan right (ius cosmopoliticum).

In Toward Perpetual Peace (1795), Kant argues that a cosmopolitan right is necessary for lasting peace. This right is grounded in the "common possession of the surface of the earth" and entails a universal right to hospitality—the right of a foreigner not to be treated with hostility when arriving in another land (Kant, 1795/1996, p. 328). This is not a right to permanent settlement but a right to seek interaction and to be heard. It is a direct philosophical rebuttal to violent nativism and closed borders. For South Africa, this Kantian vision mandates the creation of laws, institutions, and a public culture that reflects this cosmopolitan ideal. It calls for a society that sees itself not as a fortress to be defended but as a participant in a global community of rational agents. Policies on immigration and integration must therefore be formulated not from fear, but from a principle of universal hospitality and respect for human dignity, consistent with the laws of a modern constitutional state.

This third and last formulation of Kant's categorical imperative is also known as the **principle of autonomy.** This principle states that we are not dependent upon others to tell us what is right and wrong, but we are free and able to discover this for ourselves through the use of reason. It is important to note that for Kant, the responsibility for discovering and performing the morally right action rest firmly with each individual. We are used to our ability to reason to help us apply the categorical imperative to moral questions, and make our own decisions, rather than relying non someone else to tell us what to do. In Kant's view, the excuse "I was only following others" does not excuse anyone from doing something morally wrong (*Kantianism* retrieved from *https://www.indianhills.edu* and accessed 14/12/2021 @ 12noon).

Following the third principle of Kant's categorical imperative, it is seen that if applied to the case of xenophobia in South Africa, can still solve the problem in that it condemns the excuse of following others in order to be among. Some of the champions of xenophobia are rationally cognizance of its dehumanizing value, but

because others have instructed, they have to follow. Kant warns that no one should give such excuse for moral action.

A compelling synthesis can be drawn between Kantian ethics and the African philosophy of Ubuntu, often translated as "I am because we are." While Ubuntu is communitarian and Kantian ethics is resolutely individualistic, both converge on the fundamental principle of shared humanity and respect. As philosopher Thaddeus Metz (2011) argues, both philosophies, despite different foundations, can yield similar practical prescriptions against dehumanization and for recognizing the dignity of every person. Kant provides the universal, principle-based ethical theory, while Ubuntu offers a culturally resonant language of interconnectedness to articulate that respect for one another.

A Critical Evaluation of the Scourge of Xenophobia in South Africa

Pursuant to the foregoing discussion on Kant's ethics and the problem of xenophobia in South Africa, it is succinct to say that Kant's ethics which centres on his categorical imperative can be used in resolving the problem of xenophobia in South Africa. However, a critical look at Kant's ethics vis-à-vis the xenophobic problem in South Africa could only be addressed if the South African would abide by this moral principle. Some scholars have criticized Kant's ethics as being unrealistic and impracticable, not because it is actually impossible but because people naturally would always pursue their selfish interest at the expense of others. This paper dare to say that the criticisms against Kant's ethics may be reasonable to some extent, but it should be noted that ethical norms are not meant to comfort an individual interest. South Africa is not the only country or nation facing the problems or challenges that instigated xenophobic activities, but in dealing with human life, one has to be careful because human life is sacred and should be respected irrespective of the action(s) of the individual person.

Research has shown that the most important reasons behind the prevalence of xenophobia in South Africa are economic and the tendency to criminalise foreigners. Existing explanations in terms of economic crises, political transition, relative deprivation, or remnants of apartheid all contain an element of truth but are not in themselves sufficient. Proclamations from politicians coupled with media

reporting on drug syndicates, prostitution and human trafficking, all feed and in turn feed off a popular perception that migrants are bad for South African society and its economy. These reasons or factors necessitating xenophobic activities in South Africa are not morally justifiable in Kant's view. It is all too easy for the media and the government to place blame on immigrants for crime, unemployment and housing problems but it is not a long-term solution and, eventually, can only be detrimental for the economy, culture, society and international image of South Africa.

The long-term solution to the problem of xenophobia in South Africa as we have seen above is the application of Kant's ethics especially his categorical imperative and more particularly the second version which is the principle of '**Persons as Ends in Themselves**. If south Africans could come to terms with this principle, the problem of xenophobia would be a thing in the past, because every human person will be treated as ends in themselves, there will be no more hate, killing of particular set of people for certain national goals. However, the government faces a pressing need to find a way for citizens and foreigners to live peaceably together and to tackle the problems that xenophobes justify their actions by. Xenophobia may manifest itself violently through rioting and attacks on foreigners amongst the poorer, black population, but it is an issue for all sectors of South African society and one that is becoming increasingly urgent for the government to address. And one of the way ways and the best way of addressing this problem is the application of Kant's ethics. The people need to be educated and doctored on the importance and value residual in every human person irrespective of race, nationality, language, etc. human life is sacrosanct, as such, it should be treated with reverence, respect and value. Perhaps the most important point to realise is that these misguided feelings of hatred and bitter resentment are based solely on the *perception* of economic harm and of immigrant involvement in criminal activities, therefore the primary focus for the government must be education and to correct these misperceptions. The content of this education should be basically centred on morals especially the moral principle of Immanuel Kant. This will go a long way to sensitize them on the importance and dignity of human life. Their actions could be done out of illiteracy and ignorance.

Conclusion

Xenophobia in South Africa is not merely an economic or political problem; it is a profound moral failure. Immanuel Kant's ethics provides an indispensable toolkit for confronting this failure at its root. The three formulations of the Categorical Imperative systematically dismantle the logic of exclusion: (1) The Universal Law formulation exposes the self-defeating hypocrisy of discriminatory maxims. (2) The Humanity as an End-in-Itself formulation provides an unassailable foundation for the absolute dignity of every person, demanding they never be reduced to a mere instrument or scapegoat. (3) The Kingdom of Ends and Cosmopolitan Right point toward a legal and social order based on universal hospitality and shared membership in a global moral community. While not a panacea, Kantian philosophy demands a rigorous examination of our principles and compels a society to aspire to a higher standard where respect for human dignity is not conditional on origin, but is categorical, universal, and absolute. For a nation still striving to fully realize the promise of its constitution and the spirit of Ubuntu, embracing this Kantian imperative may be a crucial step toward perpetual peace within its own borders.

In conclusion, this paper is of the view, that though crimes do exist not only in South Africa, but also in other parts of the world, the government of every country has some laws and policies in place to curb crimes of different sorts; it is not enough to embark on xenophobic tour in a nation, because such activities debase and demoralize the dignity of human life. If people are found guilty of one crime or the other, such persons should be meant to face the law, but out rightly declaring xenophobia in a country is a moral aberration and the highest level of denigration and dehumanization of human life. If the executioners or proponents of xenophobic activities are to see the foreigners as fellow human beings like themselves, having equal dignity and value, they would refrain from such activities no matter the reasons or factors.

Thus, Kant's categorical imperative which places emphasis on the treatment of people as ends in themselves rather than means to an end is the perfect solution to addressing the problem of xenophobia in South Africa.

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