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## Selected Issues in Biomedical Ethics and its Social Implications: African Consideration

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### ABSTRACT

This paper sets out to examine issues that bear on the idea of person, the sacredness of life and how the African cultural worldview can be used in answering fundamental questions in biomedical research. It took into cognizance some challenging bioethical issues such as abortion, euthanasia and suicide as a direct explanation to their idea and understanding of the notion of a person and personality. It held that, every human society necessarily needs a social structure that will give end product to certain ambitions, actions and as well, provided a framework for the realization of the goals and purpose of its individual members. The work demonstrated that Africans also poses the knowledge and comprehensive understanding of reality and certain moral practices in the world different from that of the west and oriental worldviews. The researchers observed that, though there exist contrasting opinion among African scholars regarding the distinction between a person, human personality and personhood as a mode of explanation that could erode or sustain the sacredness and sanctity of the human person. It argued that fetuses and human persons should be adjudged based on the sacredness and sanctity of life rather than, on their values or societal ratings. Hence, in many African tribes the killing of a kinsman, the antithesis of caring for him, was not only a crime but also an abomination. After the murderer had been executed, his family would have to perform sacrifices and rites to remove the stain of evil and ward off the anger of the gods on the land. It is on the strength of the foregoing, that the unborn child is protected, abortion, euthanasia and suicide were tabooed. The practice of medicine with its attendant advancement in technology, is meant to improve the preservation and sustainability of human life while the oath of office of health care professionals, is to the saving of human life. Hence, it is a sad aberration to witness health care professionals use their skills and experience to terminate human life rather than save it. Furthermore, the sacredness associated with life goes to explain the strictness with which the Africans treat and regard sexual intercourse and the sex organs. In fact, sex taboos and the demand for virginity before marriage stems from the fact that, Africans believe that: "The blood of virginity is the symbol that life has been preserved, that the spring of life has not already been flowing wastefully, and that both the girl and her relatives have preserved the sanctity of human reproduction" (141). By this, euthanasia, suicide and abortion must not be contemplated at all.

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### THE NOTION OF A PERSON IN AFRICAN WORLDVIEW

The notion of a person has been a perennial metaphysical and epistemological question both in philosophy and psychology. The African notion of a person is parallel to that of the other world philosophical systems especially in western philosophy as presented by the likes of Socrates, Plato, Descartes, Leibniz, and Hume etc. Over time, speculations about the notion of a person in philosophy generally, are as old as mankind itself. Whenever the notion of a person becomes a subject of debate, it raises question like, who am I? The answers provided at this level are fundamental, never exhaustive and there seems to be materialistic, spiritualistic, in nature. Going by this standard, therefore, one will be intellectually dishonest, if not bias to use the western concept of a person to establish the African perspective because of the disparity in the thought system. The notion of a person from African perspective as surfaced in biomedical research is to bring to the fore the eminent position that, the amount and quality of medical attention given to a patient or the value of life attached to an unborn foetus is determine by our level of understanding of the notion of a person. Consequent upon the foregoing, we make the point that, understanding the notion of a person in the African moral perspective will also go a long way to determining the kind of health care delivery system that will be put in place in our society.

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From an African perspective, a person has to do with the totality of the individual. Every individual is seen as a composition of both the material and immaterial substances. The implication of the above stated position is that man has both a tangible physical body and intangible spiritual entity. Couple with this, is the passionate idea that there exists an ego in man which is construed to mean spirit or soul. The notion of a person from an African perspective has to do with the fundamental unity in the individual's personality. In line with this, one author, Geoffrey Pararinder, in African mythology notes that "the body and the soul are closely interwoven and are often spoken of as if they were one; though it is known that at death the spirit leaves the body" (15). From the foregoing, in order to understand the notion of a person; Africans do not make a sharp distinction between the material and immaterial nature of the individual. Although different societies in Africa conceive the notion of a person from different perspectives, but the moral ideal is generally the same, which is the harmonious integration of the self with the material and immaterial world. The Yoruba for instance believes that man is made up of a body and a spirit. This is clearly stated in their mythology that the body "ara" which is material is formed by the divinity "Orish-nla". And "emi" is the divine element in man. Concerning the notion of a person, K.C. Anyanwu, noted that

*African culture makes no sharp distinction between the ego and the world. African culture makes the self the centre of the world... for the African, man and nature are two independent and opposing realities, but no inseparable continuum of the hierarchical order (86-87).*

An understanding of the notion of a person from the above stated perspective presupposes that a person in an African world view is an extension beyond the physical and as such, a thing done right or wrong to the physical seems to have adverse consequences on the non-physical aspect too. Having this knowledge at the back of our mind therefore, implies that in any field of human endeavour including medical profession that is related to the welfare of man, efforts must be made to study and proffer solutions to man's predicament beyond his material nature. From an African perspective, if a person is sick, attention should be given beyond the physical cause and this also re-echoed the very fact that life from an African perspective does not begin in the physical stage but rather from the fetus, which must be preserved from any form of damage. Another point to note about the above position is that, the notion of a person from an African perspective gives way to the totality of the human person. This is so because true humanity is a cordial relationship between the physical and the non-physical and also in relation to others. The notion of a person is said to exhibit the highest level of fulfillment when it is in relation with others. This is so in every field of human endeavour. That is why we discuss the doctor-patient relationship in medical ethics. According to J.S. Mbiti, in Africa, the individual is conscious of himself in terms of "I am because we are" and since we are therefore I am"<sup>282</sup>. This position presupposes that, there is no person of a doctor or medical care-giver without the presence of a patient and there is no future life without a fetus. The notion of a person in African perspective is a totality of man and his faculties.

One of the difficulties any researcher will encounter will be trying to understand the notion of a person from a materialistic approach. This is so because from an African perspective, the physical substances that one perceives always possess a spiritual dimension. Mbiti supporting this fact asserts that, "no line is drawn between the spiritual and the physical. Even life in the hereafter is conceived in materialistic and physical terms"<sup>(5)</sup>. The notion of a person from an African perspective embodies all the yearnings and aspirations of the individual, his personality, self-realization and relation to the society. In line with this culture and historical experiences also affect the notion of a person from an African perspective. Here, K.C. Anyanwu added that, "a person becomes himself when he reflects on the awareness and implications of self; this enquiry inevitably leads to the question of the origin of the self" (3).

Considering the notion of a person from the different cultures around Africa, the Igbo tradition for instance, considers self-actualization as an ultimate criterion for the understanding of life. The knowledge a person from this dimension implies that, achievements of the individual are what define the notion of a person; other values and longings in life are connected to this. Certain Igbo names signify this clearly, namely- Ndubuisi (life is first), Ndukaku (Life is greater or more than wealth). The notion of a person is the realization of the individual and it bears in everything associated with

the unique manifestation of the individual self. A person in Igbo culture centres on self-understanding and it defines the totality of one's life force. A person in Igbo culture is associated with worldly characteristics like man's desire, wants, needs, and even interactions. Nwala paints a picture of the notion of a person in Igbo tradition.

*According to him, a person is both spirit and non-spirit. The two main parts are Nmou (spirit) and ahu (body). Nmou the spiritual part incorporates the elements of spirits, intelligence, feelings, emotions, conscience and it is associated with (Nkporuobi)- the soul which is located in the heart....., (ahu) the visible part of the human being which perishes and become earth at death( 6).*

The distinction above as made by Nwala, calls to memory the division of the body by Sigmund Freud. In Freud's work in Psychology, he made the constructive parts of the human person to include the "Id-instincts" the ego experiences of the mind and the super ego which internalized social norms. The psychology of the human person as Freud postulates, made the Id and the ego to belong to the conscious, while the superego is embedded in the sub-conscious. This distinction, however, confirms the Igbo conception of a person as explained by Nwala.

There is another perspective of the notion of a person which is somehow enlightened as provided by Nnoruka, in his work *Personal Identity*. Nnoruka, made allusion to the work of T. Reid, who conceives of a person as a manifest absurdity. According to Reid, man losses nothing of his personality, even if his estate, health and his strength are lost, he is still the same person. If a man has his leg or arm cut off, he is still the same person as he was before. Reid therefore, regards a personal identity as the continuous existence of the indivisible things that I call myself (7). Considering the foregoing, we now have the perspective of Nwala and Reid on the notion of a person which underlies and support the Igbo (African) perspective. A further elaboration of the notion of a person will be seen as we step in the next item in our research to look into notion of personhood in an African idea of being.

## PERSONHOOD IN AFRICAN IDEA OF BEING

The use of facts and practical human experience couple with institutional analysis is one of the basic tools employed to underscore general themes in African philosophy. This is so because concepts as found in African philosophy are not just mere academic postulations, but play an important role in shaping and supporting highly communal social structures. The notion of personhood in an African idea of being, represents an attempt to resolve questions of identity, freedom, and morality in favour of a communalistic way of life that has evolved as a rational adaptation to the exigencies of survival under the African conditions of existence. The well known debate in African philosophy as regards the notion of personhood in African idea of being has been that given by Wiredu and Gyekye in Akan philosophy. This is so because, their position provides insights regarding not just the substance of the concept of personhood, but also, the way empirical evidence can be used to inform philosophical analysis.

In trying to buttress the essence of the Akan notion of personhood, Kwasi Wiredu makes allusion to former Zambian President Kaunda's praise of former British Prime Minister Margaret Thatcher as "truly a person." The concept of person to which Kaunda referred to here, has a particular significance within the African cultural context. As Kaunda explains, "personhood is not an automatic quality of the human individual; it is something to be achieved, the higher the achievement, the higher the credit" (104). The above stated view of personhood as exemplified in Kaunda's remark is also a defining characteristic of the Akan notion of personhood. The word *onipa* in Akan (African) indigenous language is an ambiguous word. It sometimes refers to a member of a biological specie and sometimes refers instead to a human who has attained a special kind of social status. According to Wiredu, this dual meaning reflects an important conceptual distinction between a *human* (a

biological entity) and a *person* (an entity with special moral and metaphysical qualities). Status as a human, is not susceptible to degrees, nor is such status conferred on an individual as a 'reward' for her efforts. One is either a human or not. There is no such thing as *becoming* a human. In contrast, personhood is something for a human to become through different degrees of individual achievements. An individual's human status is only a necessary, but not sufficient condition for personhood.

In order to bring out the profound and fundamental distinctive points in Wiredu's position, we will contrast his position with that of Kwame Gyekye who noted that

*What a person acquires are status, habits, and personality or character traits: he, qua person acquires and thus becomes the subject of acquisition, and being thus prior to acquisition process, he cannot be defined by what he acquires. One is a person because of what he is, not because of what he acquires (108).*

In the above stated position, Gyekye specifically objects to the role that social status plays in Wiredu's view of personhood, arguing that, it is inconsistent with the natural or innate moral equality of persons derived from their common humanity. Gyekye's position here is that, we are human persons before we are anything else and it is the human person that matters from the moral point of view. Not surprisingly, Gyekye made allusion to the Kantian categorical imperative when he argued that, human persons are, as members of the 'kingdom of ends,' equal independent of their empirical or accidental characteristics (be they social or even genetic qualities). According to Gyekye, it is our essentially human capacity for reason not other fortuitous or accidental predicates that serves as the basis for moral worth. In this respect, one cannot point to such accidental characteristics as height, gender, age, marital status, or social class as basis for personhood.

Gyekye is quick to note that there are some Akan expressions and judgments about the life and conduct of people, that appear to give the impression that personhood, is something that is acquired or bestowed upon one in virtue of taken responsibility in the community. For example, *Onnye 'nipa* is a moral judgmental expression used among the Akan to describe someone who appears in his conduct to be wicked, bad, and ungenerous to others. In fact, a person of high moral standards or conduct would be described approvingly as *oye onipa paa*— which literally means; he or she is a real (human) person. In contrast, an individual who fails in his striving in the Akan community may be judged as *onipa hun*, which literally means "useless person," an opprobrious expression. According to Gyekye, however, these locutions should not be taken literally, but instead merely to reflect "status, habits, and personality or character traits" that one acquires over the course of one's life, not personhood (108). For Gyekye, personhood is prior to and independent of such acquisitions. To conceive of personhood as a continuous property capable of degrees is to confuse conventional notions of status a highly variable quantity with the notion of personhood, a constant for all human persons.

The relationship between Wiredu's and Gyekye's analyses of personhood is brought out more clearly by considering the status of infants and the fetus, vis-a-vis personhood. Akan linguistic conventions distinguish infants from full persons on the basis of their lacking intellectual and moral maturity. This aspect reflects the continuous character of personhood stressed by Wiredu. Yet the infant (or *onipa*) is also accorded a baseline level of respect by virtue of her possessing the *okra*. In that respect, both the infant and a fetus are entitled to the respect due to any other human, regardless of age, or capability. A human person is a person whatever his/her age or social status. Personhood is thus, not acquired or yet to be achieved as one goes along in society. What a person acquires are habits and character traits: he/she, qua person, thus becomes the subject of the acquisition, and is not fully defined by what he/she acquires. One is a person because of what he/she is, not because of what he/she has done or acquired (108).

For Gyekye, the essential ingredient that accords an individual in Akan traditional status of personhood is what is known as *okra*. He noted

*that the okra is that which constitute the innermost self, the essence, of the individual person. Okra is individual's life, for which reason it is usually referred to as okrateasefo, that is, the living soul, a seeming tautology that yet is significant. The expression is intended to emphasize that okra is identical with life. The okra is the transmitter of the individual's destiny (fate: nkrabea). It is explained as a spark of the Supreme Being. The presence of this divine essence in a human being may have been the basis of the Akan proverb, "All men are the children of God; no one is the child of the earth (85).*

For Gyekye, the concept *okra* can be accurately rendered into English as 'soul while for Wiredu *okra* is "that whose presence in the body means life and whose absence means death and which also received the individual's destiny from God" (119). Of pivotal importance to their disagreement is the normative implication of the presence of *okra*. The normative implication is that *okra* bestows on its possessors basic irreducible respect matched by basic irreducible human rights.

The notion of personhood in African idea of being took a new dimension in Menkiti's interpretation. For him, it is not enough to understand the individual as a biological organism with psychological traits. On the contrary, in order to become a person, an individual has to go "through a long process of social and ritual transformation until it attains the full complement of Excellencies seen as truly definitive of man (172). During these rituals of incorporation the community prescribes the norms by which the individual should live. The more one fulfils all these rituals, and the more one abides by communal dictates, the more he/she becomes a person.

For him, the various societies found in traditional Africa routinely accept this fact that personhood is the sort of thing which has to be attained, and is attained in direct proportion as one participates in communal life through the discharge of the various obligations defined by one's stations. It is the carrying out of these obligations that transforms one from the it-status of early childhood, marked by an absence of moral function, into the person-status of later years, marked by a widened maturity of ethical sense, an ethical maturity without which personhood is conceived as eluding one(176). Menkiti claims that, the notion of acquisition of personhood is supported by the English language, which allows a child to be referred to as "it" while that word, is never used on adults. His argument is that, "it" can be justifiably used in reference to children because they have no moral status whereas it cannot apply to adults because they have attained a certain moral standing. For him moral worth plays a crucial role in the attainment of the status of personhood. An individual who does not exhibit a certain socially sanctioned moral status is taken as having failed at personhood. This leads him to seek clarification between the usage of the terms "individual" and "individual person."

From the foregoing, Menkiti's interpretation of the notion of personhood in African thought have serious consequences for the rights that younger persons, including the unborn children ought to have. If children are not yet persons, then they could be denied rights such as would naturally be possessed by persons - such as adults. But we know for a fact that children not only ought to have rights but that they do have rights. Let us once again refer to the Akan fragment: "All persons are children of God; no one is a child of the earth." Note that this fragment makes no distinction between younger and older persons; it speaks of all persons including the fetus to be precise; it does not suggest either that babies or younger people are not children of God. Secondly, this fragment has moral overtones, for there must be something intrinsically valuable in God for the insistent claim to be made that everyone is His child. A person, inasmuch as he/she is a child of God, must also be thought of as having intrinsic worth and should be accorded dignity, respect and importance in all ramifications. From this, it can be inferred that, a person has moral rights which are anterior to the community, rights that are therefore not conferred by society, but are concomitant to the notion of personhood.

## THE VALUE AND SACREDNESS OF LIFE IN AFRICAN ONTOLOGY

The most fundamental argument so presented against abortion and euthanasia is about the right to life. The argument is stretch further to the extent that it ascribes life to the fetus and the so-called 'persons in comatose'. The essence of man depends on his existence because it is when one is alive

that he or she can boldly talk about other things and as well react to the actions around him. Human life is sacred and has its own value and so must be protected. In line with this, one author Gay-Williams noted that "euthanasia is not just dying. It is killing" (99). In African ontology, the value and sacredness of life cannot be negotiated for anything else because the African does not like violence per se. This is because shedding of blood is abhorred. People who were killed were those whose continued existence was a threat to the life of others and to the peace of the community. In such cases, the principle that, it is better for one man to die than for all the community to perish, applied. War was only taken to as a last resort, which is when all formal and normal courses of action for peace had failed.

Murder, was not encouraged, especially within the clan. If a man conscientiously killed another man within the community, he was killed himself. But if he killed a kinsman accidentally, he was exiled for some long period. However, murder is officially committed during war or in self-defence. In this case, the murderer is not expected to eat until he has ritually washed the blood of the slain man off his hands. This ritual helps to free the murderer from the anger of the god's. This is why "In many African tribes the killing of a kinsman, the antithesis of caring for him, was not only a crime but also an abomination. After the murderer had been executed, his family would have to perform sacrifices and rites to remove the stain of evil and ward off the anger of the gods" (58). In the strength of the foregoing, the unborn children are protected and, abortion and euthanasia were tabooed. Sources of life are sacred to the extent that trees and animals believed to facilitate reincarnation are also sacred.

Furthermore, the sacredness associated with life goes to explain the strictness with which the Africans treat and regard sexual intercourse and the sex organs. In fact, sex taboos and the demand for virginity before marriage stems from the fact that Africans believe that: "The blood of virginity is the symbol that life has been preserved, that the spring of life has not already been flowing wastefully, and that both the girl and her relatives have preserved the sanctity of human reproduction" (141).

Also, the sanctity of human reproduction derives from the sanctity of life in the African concept. This idea of sacredness of life makes it an abomination for anyone, under any circumstance to take his own life. Suicide was never permitted. Punishment for it was such that the person was not buried since his corpse was also believed to be abominable to mother earth. The Africans prize life above every other thing. The Igbo sayings: Nduka - life is supreme - is expressive of the African regards for life. Any form of materialism which ultimately leads to the destruction of life is alien and destructive of the African culture and concept of human life and should therefore be avoided.

The practice of medical science is meant to improve the preservation and sustainability of human life while the oath of office of health care professionals is to the saving of human life. However, it is becoming a common practice nowadays to see these health care professionals use their skills and experience to terminate human life rather than save it. There are situations in developing countries where many poor people have to lose their lives due to their inability to meet the required monetary deposits before they could be treated even in public hospitals. This situation is as a result of the inability to fully comprehend the sacredness and value of human life. The value of life from the perspective of African ontology according to Iroegbu is that, the "value of life is ultimately founded on its sanctity and on its quality as a precious gift to be protected, nurtured to flourish for the good of both society and the possessor of life itself" (485-501). From the above position, one will notice that even when western philosophical tradition tries to provide different postulations as regarding the value of life, one cannot but states that, the sacredness and value of life from an African ontology should serve as a basic yardstick in other to provide medical service that will enhance the quality of life in any society. The position of a utilitarian that tries to preserve his life not because his life has instrumental value but as a means to the end of happiness, and the Kantian who will like to protect his life is not because of its instrumental value but because of its goodness as a means to the realization of rational choice are all limited in scope and self-centered.

From an African perspective, the value and sacredness of life is far more lucrative and nourishing than the position of western thinkers like Peter Singer and Engelhardt. For Singer, "killing a defective infant is not morally equivalent to killing a person" (7). Engelhardt on his part argues that "persons, not humans, are special" (1996) when it comes to the issue of sanctity of human life. According to him, there is a difference between a person and a human being, and that moral concern should only be applied to a person. Consequently, "fetuses, infants, the profoundly mentally retarded, and the hopelessly comatose provide examples of human nonpersons". Here, Engelhardt makes a distinction

between human personal life and human biological life. These views as presented above do not show or present a clear understanding about the sacredness and supremacy of life and so the position of Iroegbu can be re-echoed here to emphasize the value of life. For him, Life is the "principle of activity, growth and fulfillment in living beings" (Iroegbu 2005), hence it is life that activates, enlivens and animates the whole essence of being. It is the received force of liveliness that separates a living being from a non-living being. Pre-Christian societies in Africa also emphasized the value and sacredness of life on the basis of the fact that, life is unique in itself and everyone has the right to it irrespective of the circumstances and condition.

## CONCLUSION

The attempt to examine some selected issues that have to do with the taking of human life from an African perspective has indeed been quite engaging and cannot be well done if we do not make the point that human life whether inside the womb, debilitated by sickness, age or deformed, is valuable and so should not be killed in the name of abortion, euthanasia or suicide. We emphasize that human life is sacred and so should be honoured and respected in our day to day activities. Human life from an African perspective has value and this value is not based on the quality of the life but on the sacredness of the life. In line with this, the value of human life should not be judged based on quality of life as some western thinkers will want us to believe. The idea of creation of a slave race, which was recommended, by Joseph Fletcher and his likes through genetic engineering, is a negation of the original intention for man, and a degradation of the human person.

We gave a cursory reflection on the oath sworn unto by physician to preserve the health of the individual, do him no harm, and discharge his professional duty passionately with the ultimate aim of saving human lives. The work observed with chagrin the state of the physicians conscience when they renege on their oath to save lives as they watch human lives lost and refuse to save the lives when it is within their capability and competence to do so? Our observation from an African perspective in this work is that, physicians in Nigeria like many other developing countries are fast renegeing on this oath. Physicians are no longer consecrated to the service of humanity; they are not practicing their profession with the conscience and dignity it requires. The health of their patients is no longer their first priority. Practically, they seem to have little or no respect for human lives. Their focus is shifting to different things entirely. One of their primary concerns now is money. Abortion is one quick money making source for most of them. This is sacrilegious and a taboo to a typical African mind.

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