

A CRITICAL EXAMINATION OF AFRICAN NORMATIVE NOTION OF PERSONHOOD: IMPLICATIONS FOR ABORTION

Godfrey Chidiebere Asadu

Department of Philosophy
Bigard Memorial Seminary
Enugu, Enugu State
asadugodfrey@gmail.com

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Abstract

The question of personhood has proved interminable. "It is the question of what constitutes the humanness, dignity and personal identity of a human being. Within the western philosophical circle, no uncontroversial answer prevails. Any answer given to the fundamental question has serious implications for ones moral judgment on the moral worthiness or otherwise of moral issues like euthanasia, human rights, capital punishment, helping the poor, abortion amongst others. For instance, in the discourse on abortion the question of personhood takes the form of: when does personhood begin and can there be any justifiable grounds for consciously bringing to an abrupt end, the existence of an unborn by another individual?" This research adopts hermeneutical and analytical methods in our data analysis. With hermeneutical and analytical methods the study wishes to tease out and analyze the hidden implications of African normative notion of personhood for abortion. This type of personhood does not depend on being born of human seed. Inferentially therefore, personhood does not begin at conception. This work suggests that the implication of this is that it gives room for permissive abortion in moral argument. Nevertheless, this work will counter this implication by suggesting that this type of personhood needs to be reconstructed to square with African attitude towards life as sacred. It is pertinent for us to note that as far as this writer know there has not been a well articulated implication drawn between this notion of personhood and abortion. To do this is the motivation to undertake this research.

Keywords: Abortion, African, Personhood, African Formative Notion

Introduction

Debate about abortion has turned into a perennial moral problem. In the past, most people held that abortion was evil. This perhaps might be because people accepted that human life has intrinsic value. But with the advent of civilization and liberalization philosophy this view is no longer generally acceptable. While some see abortion as evil, and a taboo others think otherwise. Therefore, we are no longer living in a world which commonly rejects abortion or judges it as always evil. In fact, in some countries it is unfashionable to speak against induced abortion. In both public and private debates, arguments presented in favour of or against abortion focus on either the moral permissibility of an induced abortion or justification of laws

permitting or restricting abortion. Abortion debate, especially pertaining to abortion laws are often spearheaded by groups advocating one of these positions. Anti-abortion rights group who favour greater restrictions on abortion, including complete prohibition, most often describe themselves as pro-life while abortion rights group who are against such legal restrictions describe themselves as pro-choice. Generally, the former position argues that a human foetus is a human person with a right to life making abortion morally the same as murder. The latter position argues that a woman has reproductive rights especially the choice whether or not to carry a pregnancy to terms.

Actually, the problem of abortion is really a difficult one. It is difficult not only because it involves life and death but also because it seems there are convincing arguments on both sides of the debate. It may not be resolved completely until it is proved beyond doubt when human life actually begins. Consequently, this brings us to the argument to prove who is qualified to be regarded as a person. The personhood arguments tend to prove who should be regarded as a person.

Discussing personhood from African world view is very peculiar to the personhood debate in African philosophical terrain. This is because African world view is seen as communitarian in nature. It is communitarian in the sense that the individuals' life finds meaning only in the community. This view is underscored by Mbiti when he writes that 'I am because we are, and since we are, therefore I am.' This shows that the existence of the 'I' is dependent on the 'We'. The 'we' here refers to the community whereas the 'I' refers to the individual. This goes to portray Africans as being-with-others in the words of C.B. Okolo. Thus, in this communitarian view, the community takes primacy over the individual; hence the individual is realized in the community. However, it is important that before one delves into the discussion proper, that one tries to examine the meaning of the term personhood from the African perspective.

African understanding of a person

The *Cambridge International Dictionary of English*, defines the term person as "man, woman or child."¹ It adds that this term is also used to describe someone's character, for example, whether one is kind, generous, mean or cowardly. This brief definition is interesting particularly from the African point of view. The definition implies that a person can only be a man, woman or child. This means that entities that are not biologically human beings or

lack the physical attributes that may make them either man, woman or child cannot be considered to be persons in any sense of the word.

Secondly, the definition also notes that the word may be used to denote someone's character or disposition, which is crucial in African thought. Some thinkers in the African scheme of thought hold that character is very important in deciding whether an individual can actually make the mark of full personhood. Having looked at the meaning of person, the aim of the following section is to examine the normative notion of personhood in Africa.

Normative school of personhood

This school of thought Ifeanyi Menkiti would argue advocates that to be a person does not depend on fulfilling or acquiring certain biological qualities like having a body, memory, will, soul, rationality, mental function etc. However, to speak about the normative aspect is to argue that being a person in African world is beyond a descriptive reference to certain biological constituents. This means that in Africa, a person is not defined or discussed by referring to the natural sciences, but to traditional and everyday opinions as they can be found in oral traditional and ordinary language, especially in proverbs. The views of scholars under this school can be divided into three basic positions: 1. Community defines a person and, 2. Personhood is achieved through performing worthy social obligation, 3. Personhood does not depend on being born of human seed.

Community defines a person

It is a self evident fact from perusing through the work of Tempels' that he upholds the notion that it is the community that defines a person. Thus he says "the living muntu is in a relation of being to being with God, with his clan brethren, with his family and with his descendants. He is in a similar ontological relationship with his patrimony, his land, with all that it contains or produces, with all that grows or lives on it."² This shows that man always stands in relation to something or someone. It is therefore this relational interaction that actually defines his personhood.

This view was also corroborated by Mbiti. J Mbiti in his work *African Religions and Philosophy* aptly captures this, when he says that the individual's being is dependent on and essentially tied to the community's being. He argues that the individual cannot exist alone but corporately. "He owes his existence to other people, including those of past generations and his contemporaries. He is simply part of the whole. The community must therefore make, create or

produce the individual; for the individual depends on the corporate group”³ This implies then that the individual, in Mbiti’s view, is not only of natural birth but a product of society. Little wonder, he says “physical birth is not enough: the child must go through rites of incorporation so that it becomes fully integrated into the entire society.”⁴ And the process of incorporation is, according to Mbiti, an endless social drama that may ring its echo even beyond the grave. “These rites continue throughout the physical life of the person, during which the individual passes from one stage of corporate existence to another. The final stage is reached when he dies and even then he is ritually incorporated into the wider family of both the dead and the living.”⁵

Menkiti takes the argument further by explicitly arguing that the African conception of person is radically different from the Western conception, in his view, the Western conception goes for what he calls the minimal definition of person by identifying a sole characteristic such as rationality, memory or will. On the other hand, the African conception of person goes for what he calls a maximal definition of person. Menkiti says the conception of person in African thinking cannot be reduced to a slogan such as the Cartesian *cogito* but is determined by the enviroing community. He argues that the reality of the community takes precedence over that of the individual. Hence, it is the community that is best suited to decide what counts as persons. He argues that it is the community that gives the individual his identity and for that reason the community must take both epistemic and ontological precedence over the individual. This goes to show the place of community in individual lives.

N.K Dzobo like the previous scholars already talked about, insists on the importance of the community in the individual’s life. He actually endorses the view that the community is more important than the individual, and that it takes precedence over the individual. This seems to stem from his observation that the individual comes out of a system that has been prior to her and exists to support the development and well being of that very individual. Just like Tempels and co, Dzobo does not see what can become of the individual without the community. He sees the individual as essentially a communal being, one who needs the community not merely for physical sustenance but also for becoming who he is. Once again the claim being made here is not a benign reference to the sociality of the self. Rather, it is a strong ontological reference to the all-pervasive presence of the community in the defining make-up of the individual.

The individual's being emerges from a prior social whole which is truly other; it comes into being for the sake of him and exists for his development and growth. Hence, an individual who is cut off from the communal organism is nothing. By living creatively the individual is also contributing to the life and quality of his community and so can say 'we are, therefore I am, and since I am therefore we are.'⁶

The argument here, at least ideally, is that the individual's personal identity is inseparable from his community's own aspirations and goals. The individual is fused to the community such that he cannot separate his own goals from the broad aspirations of his community. The community in essence is his fellow clansmen and women who share the same kind of world outlook with him. The 'I' and the 'We' cannot exist independent of each other; they only make sense if used in reference to each other. A very clear claim made by these thinkers is that apart from the community and the relations exercised therein, the individual is nothing.

In approaching an evaluation of this stand one can say that the smallest community we have in African setting is the family. This is a combination of father and mother with one or two children. Going by the fact that these scholars delegated the right to confer personhood on the community, it means that the individual is determined by the community in this collectivist philosophy. Since the individual is determined by the community, it means also that the individual's freedom is swallowed or in check. Examining this stand in the light of the views of existentialist philosophers one can say that an African man lives an inauthentic existence. The existentialists suggest in their idea of being-with which is quite similar to African communalism that while man should see himself in relation to the world, he should maintain his singularity, individuality and uniqueness. "This implies that the individual should not allow himself to be lost in the crowd of the 'they'."⁷ What appears quite distinct here is that the individual has no freedom in the African communitarian concept.

Bearing this in mind, K. Gyekye argues that radical communitarianism as espoused by Mbiti and Menkiti is erroneous in respect of the fact that it fails to appreciate the individual in its unrestricted emphasis on the community. The failure to recognize the individual, according to Gyekye, is unrepresentative of African thinking and philosophically indefensible. He proposes moderate communitarianism as representative of true African thinking by appealing to proverbs which are held to show that there was a place for the individual in the traditional Akan frame of thinking. Further he argues that his version is desirable because it will recognize and defend individual rights as opposed to

Mbiti and Menkiti's versions of communitarianism which ride roughshod on individual rights. To this effect he says:

In the light of the autonomous (or near-autonomous) character of its activities, the communitarian self cannot be held as cramped or shackled self, responding robotically to the ways and demands of the communal structure. That structure is never to be conceived as reducing a person to intellectual or rational inactivity, servility, and docility. Even though the communitarian self is not detached from its communal features and the individual is fully embedded or implicated in the life of her community, the self nevertheless, by virtue of, or by exploiting, what I have referred to as its "mental feature" can from time to time take distanced view of its communal values and practices and reassess or revise them⁸

In the above citation Gyekye underscores the fact that the individual is not totally lost in the community. He argues that the individual can and sometimes takes position that is quite different from that upheld by the community through making use of his rationality.

Gyekye is echoed by Chukwudum B. Okolo who in his effort to understand the self found that the traditional African position tended to emphasize the communitarian aspect at the expense of the distinctness of the individual. He argues that while the self is social it is important to also note that it is an entity that exists apart of its fellow community members and claims that this fact is recognized in African philosophy:

The status of the self as an individual entity, then, is recognized in African philosophy, proof that self has somehow a double status-one as a being-in relation-to-others, the other as unique and unduplicatable. One of the clearest ways the African establishes this fact of uniqueness, identity and discreteness is through names. African names are just not mere labels of distinction, to differentiate, for instance 'James' from John'⁹

Thus, Okolo believes that there is a real distinctness that exists between individuals and that distinctness is expressed through the names that African people receive. Here he is referring to African names that may have a special meaning for each individual or her family or may be explanatory to the circumstances of his birth.

On another note, one may also ask, is the community not made first of all with separate individuals before they came together to be regarded as a community

and given the power to either confer or to withhold personhood? Who gave this power to man or community in the first place, being that man can be irrational sometimes. And since the community is made up of more than one individual, what happens in a situation when one party refuses to confer personhood on someone whereas the other party thinks the person has what it takes to be regarded as a full person. Who conferred personhood on the first person that existed before there became a community? The answer may be God or no one. If it is God, what type of community is it that God and man were seen as members of the same community? can't God continue to play this role or did he at one point abdicate this crucial function of his? If it was no one, why do we require human community to perform this function now?

It is also pertinent for us to point out that this view that it is the community that defines a person is quite different from the notion that man is what he makes of himself peddled by Western existentialist philosophers. In the work of such existentialist philosopher like Heidegger, especially in his idea of authentic and inauthentic existence, he made it point clear that to live authentic life one has to live in accordance with his personal decisions. If a person unwillingly puts himself under the control or the dictate of other people so that it is not he who has freely chosen for himself the mode of life he is living then he is living an inauthentic life, a depersonalized life. A life lived in conformity to the dictates of an authority, tradition, custom or habit is an inauthentic life. In a way to live authentic life, one should not drift along with the crowd, doing things simple because others do them or because it is the custom of the place. Rather, one should freely choose one's way of life and do things because one has freely chosen to do them. This is to say that every action should spring from one's free choice. This view is quite different from the African communalism. Thus, for Africans one has to live in obedience to his community. And to live authentic life is to live in communion with ones community otherwise one is living an inauthentic life.

More still, the view that community defines a person also shows that community takes precedence over the individual life in the society. Examining the much quoted words of Mbiti which is rendered as 'I am because we are and since we are therefore I am', one can deduce that not only that the 'I' realizes himself in the 'We' but also that to be for Africans simply means to belong to a community. In other words, if there is no community, the individual does not exist. In addition, a very clear claim made by these thinkers is that apart from the community and the relations exercised therein, the individual is nothing.

Personhood is achieved through performing worthy social obligation

Tempels argues that the possession of force is not enough, in order for one to be recognized as a person, he must stand worthy when judged by his community and that judgment is based on the quality of his relationships and his ability to observe the communal moral dictates of his community. He makes a distinction between those who matter and those who do not matter. Those who matter are said to be people of real importance who have a real role to play in their respective societies whereas those who are not that important are described as non-persons. Thus, personhood is attained in the arena of communal relations and is determined in direct proportion to the quality of one's relations. The Bantu are different from the Westerners, according to Tempels, in the way they live. This way of life is communitarian in nature. Hence, he who behaves unworthily is not regarded as person. In other words, he who fails to perform his social obligation is not accorded the status of personhood.

This view was also affirmed by Mbiti who argues that physical birth is not sufficient for one to count as a person. What is required is the observance of social rituals throughout the individual's life and these rituals are performed on him by the community as he goes through each stage of his life. Thus, the community gives the individual the status of person through these rituals of incorporation at every stage of his life. The individual does not make himself. He finds himself standing in essential relationship to his community and his fellow beings. It is that standing in relationship that gives him the status of a person.

In the same vein, Menkiti argues that personhood is something that is attained in direct proportion to one's discharge of his moral obligations. Personhood is something that is acquired as one gets along in society and he holds that personhood is the sort of thing that one could fail at or get better at. The proper discharge of one's moral obligations makes that individual more of a person. Failure to observe the moral dictates of one's community may lead to failure at personhood. He ties the observance of the rites of incorporation to moral achievement and argues that older people who have gone through these rites of incorporation and are in good standing with their communities in respect of their moral conduct have become more of persons or have attained full personhood. Thus, on Menkiti's scheme personhood is determined by the individual's ability to use communal norms to guide his actions.

This view is echoed by N.K Dzobo who carefully describes under what conditions one is considered to be a person in African thought, like Tempels, Mbiti and Menkiti he points at some kind of achievement that comes through social relationships. He states:

The person who has achieved a creative personality and productive life and is able to maintain a productive relationship with others is said to 'have become a person.' (*Ezu ame-Ewe; Oye onipa pa.*-Akan). The persons who are considered models of creative life are the chief, the elders and the ancestors. Such a life is counted as the greatest value in the indigenous culture."¹⁰

Here, Dzobo agrees with the African philosophers already mentioned on a very important point which is that persons of importance in the community represent a more full and successful version of personhood than those who are not that important.

Personhood does not depend on being born of human seed

Mbiti possess the view that personhood is not achieved primarily by being born of human seed. As a result of this he says

Physical birth is not enough: the child must go through rites of incorporation so that it becomes fully integrated into the entire society. These rites continue throughout the physical life of the person, during which the individual passes from one stage of corporate existence to another. The final stage is reached when he dies and even then he is ritually incorporated into the wider family of both the dead and the living."¹¹

One can infer from the above quotation that the community also has a role in ensuring that the individual is indeed transformed into a real person. Thus, biological birth alone is not enough.

Menkiti supports this view that personhood is not just granted on the basis of being born of human seed. Hence he says that "... personhood is something which has to be achieved and is not given simply because one is born of human seed."¹² It is quite clear from this citation that Menkiti believes that in Africa, personhood is not automatically granted at birth but is acquired as one gets along in society. And this getting along in society takes quite a lot of time, usually being attained by people who are of advanced age. These people, who are much older, according to Menkiti, have had the time to learn what it means to be a person through accumulation of knowledge of social values and

norms that govern their particular societies. By living up to, and adhering to these norms, they become successful in living up to the standard of personhood. Young people and children are no persons because they still have to learn all the moral requirements of their society and they still have to come to know how to behave as their elders do. So, for Menkiti, personhood is something that is gradually acquired as one gets older and more accustomed to the ways of her respective community. If one defies or fails to fully comprehend the requirements of his community then he cannot become a person in the maximal sense of the term.

This view came under stringent attack by K. Mtata. He argues that the communitarian concept of personhood is un-African. Consequently he claims that this view that Africans are communitarian is an illusion. Hence, the view is not sustainable because Africans are no longer communitarian, if ever they were. He avers that holding that African personhood is communitarian conceals the hierarchical construction of personhood, which reduces children to less than full persons. For him, African person was and is a hierarchical person. This according to him can be glimpsed from the fact that African personhood is attained through particular predetermined challenges. Hence, from these perspective children especially those who have not yet reached adolescence are unable to meet these challenges and thus are not persons in their own right. What is distinct from these philosophers is that whether it is communitarian (normative) or hierarchical that truly represents African world view that children are not regarded as person.

African Normative notion of Personhood and Abortion

The crux of this section is to find out whether African normative notion of personhood gives room for permissive abortion morality. Generally, African normative conception of personhood can be regarded as communitarian. This view centrally holds that personhood is something that is attained in direct proportion to one's moral worth and one's relations with her surrounding community. This view understands personhood as something that is acquired as one's moral responsibility grows. Essentially, personhood is constituted by the community and expressed in relations that one has with her community. Thus, the individual and the community are both tied in the same fate. The individual is seen as constituted by the community and as one with the community. This is true in the sense that normative view of personhood is basically community centered. In other words, they find meaning and expression in the community. One can recall that this research pointed out that one of the nuances of this notion of personhood as communitarian (normative) is that, it is the community that, defines a person. What this

entails is that, it is the prerogative of the community to say who qualifies to be regarded as a full person. The implication of this is that, if the community does not say you are qualified to be regarded as a person, you are not a person. Inferentially therefore, this gives room for permissive abortion morality.

Similar to the above view but, quite different in its own right is, the contention that personhood does not depend only on being born of human seed. One may ask if, personhood does not depend on being born of human seed, what does it depend on? Africans will answer that, it has to be achieved through obedience to communal norms. In other words, one who admires personhood must use communal norms to guide his life. What this implies is that, children and by extension the unborn, are not qualified to be regarded as full persons. If the unborn and, children are not qualified to be regarded as persons, does it not imply that, the human *conceptus* can be done away with? This again shows that, abortion is permitted by this view of personhood.

Personhood is important because, it is through the yardstick of personhood that we can determine who is actually a human being deserving of some respect. Africans as we know do not have the idea of abortion in their communal ethos. But, by affirming a notion of personhood that, snowballs into abortion, they cannot be exonerated from the consequences of it. The implication of abortion to an African community will have some ripple effects. In the first place, this will lead to annihilation of the community. Africans as we know are deeply communal beings. Hence, to think of an individual existing without the community is unconceivable. As we know, it is individuals that make up the community. In other words, Community is a collection of individual persons. So, if abortion is approved, there may likely be no individual who will make up the community in the long run. Apart from annihilation of the community life, values will be redefined. Human life will no longer be sacred, the economic life will be affected and so is social life.

In conclusion, we have tried to show in this work that the implication of African notion of personhood is permissive abortion morality at least theoretically. However, in practice Africans do not accept abortion, in fact, they oppose it vehemently. Throughout this work, the research has painstakingly kept faith with these objectives and can at this concluding juncture say that justice has been done to the topic.

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