



African Communitarian Bioethics and the Question of Paternalism

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ABSTRACT

Bioethics is a field of study and professional practice, variously conceptualized fashionably as: multidisciplinary, interdisciplinarity, transdisciplinarity, pluriperspectivity and integrativity. Despite being a professional practice that bioethicists engage with everyday, bioethics in Africa is still poorly characterized both methodologically and pedagogically as its discourse is still narrowly focused and its worldviews are increasingly alienated and marginalized from mainstream. Core bioethical values and principles from Africa are among the most under-theorized, under-researched, under-valued and under-discussed aspect in mainstream bioethics and professional practice. This is the case with communitarian bioethics whose philosophical foundations and normative underpinnings, moral theories and principles are still largely unexplored, and the solid pillars not yet firmly implanted as scepticism characterize its future. But dominant mainstream bioethical values are portrayed as the only valid universal ideal and Western bioethicists still struggle to 'remake' or 'recreate' the discipline according to their cultural and ethical traditions'. Confronted with this crisis of negation of identity, self affirmation and the quest for authenticity, this work is a radical critique of the foreign oppressive systems and structures of power that serve to define African existence in certain erroneous beliefs, paradigm and the consequent alienation of its worldview. It critically examines how mainstream bioethical values become a universal code of knowledge, intelligence, superiority, orderliness, purity and how it functions as a master sign. How

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it creates values, norms, and epistemic frames of reference that unilaterally affirm its many modes of instantiation—political, institutional, aesthetic, and so forth. Additionally, while investigating why bioethics is not experiencing a revolutionary transformation in Africa, work argues that genuine development of bioethics in Africa must be rooted on core communitarian ethical principles and must rest upon the innate authentic African communitarian theories.

Keywords: Communitarianism; communitarian bioethics, ubuntu; paternalism; interdisciplinarity; transdisciplinarity; integrativity; pluriperspectivity; African philosophy; bantu philosophy.

1. INTRODUCTION

Bioethics is a field of study and professional practice, variously conceptualized fashionably as: multidisciplinary, interdisciplinarity, transdisciplinarity, pluriperspectivity and integrativity. In this context, *multidisciplinarity* means – to gather all human sciences and activities that are relevant for bioethical questions; *interdisciplinarity* – to encourage dialogue and to find a mode of cooperation between all these disciplines; and *transdisciplinarity* – to overcome mutual differences, that is, to unify differences into a unique, bioethical view focused on questions that cannot be unraveled from the perspective of *one* science or *one* area; *Pluriperspectivity* – the ‘unification and dialogical mediation of not only scientific, but also of non-scientific, that is, a scientific contributions, including diverse ways of reflection, diverse traditions of thought and cultural traditions, that is, diverse views that rest on cultural, religious, political and other particularities [1-3]. Bioethics is the systematic study of moral dimensions – including the moral vision, decision-making, conduct, and policies in both life sciences, health care and the medical fields – implies a variety of ethical methodologies in an interdisciplinary setting [4,5].

Bioethical questions include both *practical* problems within medicine, healthcare, research, and ecological matters and *theoretical* issues concerning doctrines and their assumptions. The main difference between these is that practical questions are primarily in need of solutions, whereas theoretical ones are more readily in need of clarification [6]. Despite being a professional practice that bioethicists engage with everyday, bioethics in Africa is poorly characterized both methodologically and pedagogically as its discourse is still narrowly focused and its worldviews are increasingly alienated and marginalized from mainstream. While bioethics is now a flourishing global phenomenon and integrativity, reflecting the ideal to make an equal discourse possible by

connecting ethical concepts from different cultural and social backgrounds [7]. Core bioethical values, contents, trends and principles from Africa are still least influential and unfairly referred to as the underprivileged excluded from mainstream since they are still under-theorized and underdeveloped. This is the case with communitarian bioethics whose philosophical foundations and normative underpinnings, moral theories and principles are still largely unexplored, and the solid pillars not yet firmly implanted as scepticism characterize its future.

Furthermore, diversity is a fact in the world with the co-existence of different traditions and ways of life, though not all personal or societal values have equivalent moral status. But dominant mainstream bioethical values are portrayed as the only valid universal ideal and Western bioethicists still struggle to ‘remake’ or to ‘recreate’ the discipline according to their cultural and ethical traditions’. They have been very intolerant of other values that could propose practical solutions to challenging problems while contributing to the enrichment of the discipline. Confronted with this colonialism, communitarian bioethics is still persistently on the edge to defend and re-invent its identity, authenticity, specificity, particularity and relevance. Ethical decision-making and deliberation is characterized by variability, bioethicists should learn to tolerate, integrate and embrace more social and communal concerns, and trends in communitarian ethics. Its moral values and principles constitute the foundation of African and other influential cultures which might influence the future of ethical progress in the world.

2. PHILOSOPHICAL FOUNDATION OF COMMUNITARIANISM, PERSON AND UBUNTU

Over the years, African philosophy with its values and principles is often misrepresented, marginalized, alienated from mainstream and is persistently on edge to defend, and in quest to re-invent its authenticity and relevance.

Meanwhile, Western philosophy and its values have been the dominant mainstream principles and sole means used to shape or define the contents, methods and trends of other philosophies. Philosophy is critically dependent on mainstream principles and values which create oppressive strategies and categories of thought aimed at completely denying the freedom of others. Radical and authoritarian Western thinkers dislike attempts at imposition of principles or when groups seek to regulate practices with different values drawn from other philosophical systems contrary to their categories. They argue that other principles are designed and employed to promote political decisions based on emotion, rather than to encourage clear thinking about difficult ethical questions. According to their argumentation relativism is not tolerated since relative morals are arbitrary as people struggle to make coherent sense of incommensurate truth-claims and a civilized world cannot function in a relativistic context. They enjoy privilege positions with a distinct voice in the political market place of ideas while making it clear that if they are not the ones engaged in serious philosophical analysis the discussions are sterile and barren. This ideal is driven by Western scientific and rationalistic philosophy rooted in the quest to conquer and dominate nature to enable total control in all its forms. They claim to have the final and terminal explanation for bioethical issues and offer a one-size-fit all solution to problems as their principles constitute the bedrock foundation of the universe. This form of imperialism consisting at the imposition of tailored designed principles to other cultures constitutes a moral blind spot which perverts bioethics as a global discipline due to insensitivity to diversity and the inevitable ambiguities characterizing the human condition.

Due to this practice, African philosophy and its communitarian values are rendered voiceless and rejected as barren since they were invented as primitive Otherness to Western mainstream values of civilized of Sameness. That is, an irreconcilable binary opposition or a simple inversion of Western Self and Other. Mainstream values survive as the Same in the sense of seeking to reduce the Other African communitarian values to its own categories and principles. It creates Forms of consciousness that constitute ideologies, which either hold subjects in their grip or form limitations. The process consisted at subjecting African philosophy to a process of extensive philosophical surgery that will give it a Western

philosophical facelift. This subverting of the Other is no friendly affair. On the contrary, it is a life-and death-struggle that turns the other into a slave whose defeat and submission confirms the freedom and self-consciousness of the master [8]. The African in this process is negatively *ontologized* and its being gets frozen into something that should be avoided, a thing rendered suspect *a priori*. The African becomes "a barred other," or "a sub-other" and a denigrated *thing* of absence and existential insignificance. This negation of Africanness produces a freezing of the identity, liberty, rights, free will and free choice of Africans that bars them from participating in dialectics of recognition which generate self-consciousness.

This leads to a form of censoring of the minds of African thinkers as a means of subduing them into captivity. The African mind in this process is encapsulated and drilled into total submission and captivity to facilitate its domination and exploitation. This subduing leads to powerlessness which facilitates the uncritical adoption and assimilation of Western values, ideologies and institutions. The process is aptly described as the rape of Africa, which created a crisis of self-identity, injured her human dignity, sapped her self-confidence, and led her into perpetual soul-searching. As a result of this surgery, its languages, religions, traditions, cultures, world-views, family patterns, and attitudes toward other philosophical systems will have to reflect those of the established Western order. Western philosophy becomes a presumed "universal" value code which consists of an embodied set of practices fueled by a reactive value-creating power. It is the embodiment and production of specific truth claims, claims that are inextricably linked to a regime of truth and modalities of power [9]. The end result is that Africans are conditioned and live in a state of mental arrestment and then imprisonment in constructive inadequate foreign belief systems, values, images, concepts, lifestyles, thought patterns and world-views which alienate them from the existential reality of their being.

The consequence is that, it develops mistrust and suspicion in the minds of Africans since their values, norms, cultural traditions, belief and views are drowned and alienated from decision-making on issues that concern their lives. There is general erosion of morality and human rights leading to lost of freedom, entrenchment of socio-economic inequality and injustice. The African right to liberty and equality has been

infringed since these rights have been designed by somebody else and they cannot be equal to the designer. Meanwhile, Africans have a right to their unique identity based on the intrinsic reality of who they are or on the conception of their worldview and freedom, but suddenly others change and remake them based on their extrinsic intervention. This leads to less trust of science fuelled by general lack of knowledge and suspicion of researchers to skepticism of the underlying motives of health care research in African communities. Confronting this Western display of cultural arrogance or cultural colonialism portraying them as the historical leaders in science and makers of rules, communitarian bioethics and its values becomes a value-creating power. One opposed to the "life-denying" and hegemonic tendencies of practices that mainstream values attempt to critically evaluate and overcome. A confrontation of the Same by the Other which aims at elevating Africans mentally to a critical re-examination of the unsavory entrenched fixations and categories imposed on African thought through a process of epistemological violence to enable the overturn and challenge of the epistemic imperialism. It is a quest for rediscovery of our authentic African identity falsified, fragmented and part of which during colonization was diluted and transformed so that people of African descent can reappropriate or reactivate science rooted in our cultural heritage. Additionally, it is in search for the true identity of the African which recognizes that we have lived through a lengthy period of miseducation and misinformation, and to understand our African origin so as to reconstruct Africa from its substratum.

Communitarian bioethics is among other things one that takes considerations of community to be highly significant and crucial in many determinations of moral right and wrong. Communitarian means pertaining to or characteristic of a community and the different forms include authoritarian and responsive communitarianism in Western framing. Communitarianism is distinguished through three sorts of claims: methodological claims about the importance of tradition and social context for moral and political reasoning, ontological or metaphysical claims about the social nature of the self, and normative claims about the value of community [10]. Gboyega A Ogunbanjo and Donna Knapp van Bogaert define communitarianism as 'a model of political organisation that stresses ties of affection, kinship, and a sense of common purpose and

tradition' [11]. The concept of *community* in theory and practice within the context of Africa is philosophically rooted in notions such as *ubuntu* and communalism. This philosophical thought is grounded on a complex system of metaphysical, epistemological, political, social, ethical principles, philosophy of medicine, law, economics and moral foundations using a distinct methodological approach to establish truth.

Ubuntu ideality is the source of ageless wisdom and fountain of traditional African philosophy encloses the theory and practice of African humane living. African philosophy of social living is rooted on the ideals of human worth, humaneness, community living, co-operation, non-discrimination and compassion. It defines the foundation of African philosophy of social and community living, variously conceptualized in different segments of African communities using different names. Among the *Igbo* people of Eastern Nigeria it goes under the name, '*Ibuanyindanda*'. '*Ujamaa*' is the synonymous term of *Ibuanyindanda* among the people of East Africa, while *Ubuntu*, is the term used among the people of South Africa. It is a traditional African philosophy that offers us an understanding of ourselves in relation with the world. That is, the constitutive African-based cognitive system which peoples utilize in structuring and making sense of their existence. According to *Ubuntu* philosophy, there exists a common bond between us all and it is through this bond, through our (interconnectedness) interaction with our fellow human beings, that we discover our own human qualities. Or as the Zulus would say, "*Umuntu Ngumuntu Ngabantu*", which means that a person is a person through other persons. We affirm our humanity when we acknowledge that of others. The boundless and unending fountain sources of ageless wisdom and ultimate knowledge development for the whole of humanity. It is the source of human life's origin, human rights and freedom, human dignity and equality, welfare, wellbeing and human flourishing. I can only be a person through others" implies that one's identity as a human being causally and even metaphysically depends on a community.

The philosophy of *Ubuntu* is basically an indigenous philosophy of social existence that defines the relationship that ought to obtain between members of the society. The distinguishing features of this philosophy are its welfarism, altruism, universalism and basically its utilitarian outlook. Central to it is the near

universal lessons that 'to be human is to affirm one's humanity by affirming the humanity of others'. The underlying ideology is human-ness, compassion, cooperation and universal brotherhood of all mankind. The philosophical outlook view dignity, solidarity, compassion, humanness and responsible living as the proper definitions of human relationship in any given community. *Ubuntu* encloses and encompasses all ethical values and principles of health care, health research, health policy and bioethical values related to the creation and maintenance of the health of all living things. It engenders a broad range of values which provide guidance for concrete decisions and actions, and for the resolution of ethical dilemmas that can be used by health professionals, health policy-makers and health researchers, as well as by patients, families, and communities in a range of contexts related to health, including clinical care, health services and systems, public health, epidemiology, information technology and the use of animals in research [12].

These values are important for health administration, health economics, public health, law, biotechnology and environmental health. The core values include: sympathy, compassion, benevolence, solidarity, hospitality, generosity, sharing, openness, affirming, fairness, equity, honesty, freedom, solidarity, trust and respect, available, kindness, caring, harmony, interdependence, obedience, collectivity, consensus etc. *Ubuntu* upholds that humanity share one indivisible essence, one planetary life system, one human race and one dependent human community. Its Shona equivalent is put as *munhu munhu nevanhu* [13]. Mogobe Ramose writes that *Ubuntu* presupposes three distinct aspects in philosophy reflected in the form of maxims, proverbs or aphorisms. It denotes the central issue of African *philosophical anthropology*: 'to be human is to affirm one's humanity by recognizing the humanity of others and, on this basis, establish respectful human relations with them'. In other words, my humanness is constituted by the human-ness of others, and *vice versa*. It is the basic principle of *social philosophy*: 'if and when one is faced with a decisive choice between [one's own] wealth and the preservation of the life of another human being, then one should opt for the preservation of life'. The idea sustained is life is the highest value, which determines also the relations between human beings. *Ubuntu* as a fundamental aspect of *political philosophy* relates kingship like human-ness in general to the

humanity of others and demands mutual recognition and respect. Ramose asserts: 'that the king owes his status, including all the powers associated with it, to the will of the people under him', which reflects the maxim, '*Kgosi ke kgosi ka batho*' [14].

However, the being of an African person is not only imbedded in the community, but in the universe as a whole. This is primarily expressed in the prefix *ubu-* of the word *ubuntu*. It refers to the universe as be-ing enfolded, containing everything. The stem *-ntu* means the process of life as the unfolding of the universe by concrete manifestations in different forms and modes of being. This process includes the emergence of the speaking and knowing human being. As such this being is called '*umuntu*' or, in the Northern Sotho language, '*motho*', who is able by common endeavours to articulate the experience and knowledge of what *ubu-*is. Thus *-ntu* stands for the epistemological side of be-ing. This is the wider horizon, in which the inter-subjective aspects of *ubuntu* have to be seen. Mutual recognition and respect in the different inter-subjective relations are parts of the process of unfolding of the universe, which encompasses everything, in the speaking and knowing of human beings [15].

Added to the foregoing, *Ubuntu* regards humanity as an integral part of the eco-systems that lead to a communal responsibility to sustain life. *Ubuntu* shares natural resources on a principle of equity among and between generations. *Ubuntu* is fair to all, is compassionate, is a collective respect for human dignity. *Ubuntu* in *The South African White Paper on Welfare*, is: "the principle of caring for each other's well-being and as a spirit of mutual support. Each individual's humanity is ideally expressed through his or her relationship with others and theirs in turn through recognition of the individual's humanity. *Ubuntu* means that people are people through other people. It also acknowledges both the right and the responsibilities of every citizen in promoting individual and societal well-being" [16]. Nelson Mandela succinctly defines *ubuntu* as such: *Ubuntu* [lu:bontu:/oo-BUUN-too, Zulu/Xhosa pronunciation 'Ubuntu' is an Nguni Bantu term which literally means 'human-ness' roughly translating to 'human roughness'. It is an idea from the South African region which means human-ness and is often translated as 'humanity towards others' but is often used in more philosophical sense to mean the belief in

universal bond of sharing that connects all humanity [17].

This definition aptly captures and defines identities, nature, values and responsibilities of one towards another in a community. *Ubuntu* therefore is a comprehensive, ancient African worldview, which pursues primary values of intense humanness of caring, sharing and compassion and associated values ensuring a happy and quality human community life in a family spirit or atmosphere [18]. The South African Nobel Laureate Archbishop Desmond Tutu sees *Ubuntu* as the core of African ontology or the essence of being human. Also, it symbolizes the backbone of African spirituality and has become African contributions to the world development. It speaks of the fact that my humanity is caught up and is inextricably bound up in yours. It speaks about wholeness, it speaks about compassion. Accordingly Samkange and Samkange affirm that: 1. *Ubuntu* asserts that to be human is to affirm one's humanity by recognizing the humanity of others and on that basis establish respectful human relations with them; 2. *Ubuntu* maintains that if and when one is faced with a decisive choice between wealth and the preservation of the life of another human being, then one should opt for the preservation of the life of the other person; 3. *Ubuntu* is a principle deeply embedded in the traditional African philosophy which maintains that the King owe his status including all the powers associated with it, to the will of the people under him [19]. John Mbiti underscores the important belief and sense of the community among traditional Africans. In traditional Africa, the individual does not and cannot exist alone except corporately. He owes existence to other people, including those of past generations and his contemporaries. Whatever happens to the individual is believed to happen to the whole group, and whatever happens to the whole group happens to the individual. The individual can only say: *'I am, because we are; and since we are, therefore I am'* [20].

That community is the cradle that gave it life, welcome and education. That community defined the values it would embrace and the social standing it would receive or aim at achieving. The individual's life is life in community, life with others. His/her personality is in part defined by his/her communion in community. Outside of community life goes. Eze Michael O. writes: A person is a person through other people strikes an affirmation of one's humanity through the recognition of an 'other' in his or her uniqueness

and difference. It is a demand for a creative inter-subjective formation in which the, 'other' becomes a mirror [but only as a mirror] for my subjectivity. This idealism suggests to us that humanity is not embedded in my person solely as an individual; my humanity is co-substantively bestowed upon each other. We create each other and need to sustain this otherness creation. And if we belong to each other, we participate in our common creation; we are because you are and since you are, definitely I am. The 'I am' is not a rigid subject but a dynamic self-constitution dependent on this otherness creation of relation and distance [21].

One exists in community or one does not exist at all. This is a cardinal point in the understanding of the African view of man. Makgoba M. reinforces this when he argues that throughout the African Diaspora peoples of African descent: Are linked by shared values that are fundamental features of African identity and culture. These, for example, include hospitality, friendliness, the consensus and common framework-seeking principle, *ubuntu*, and the emphasis on community rather than on the individual. These features typically underpin the variations of African culture and identity everywhere [22].

African perspectives of bioethics revolve around harmonious co-existence with the cosmos and the promotion, defense and protection of life, including maintaining the integrity of the human species, protecting the dignity of the person and protecting nature and diversity. The pre-colonial traditional African metaphysical outlook can be described as *eco-bio-communitarian*, implying recognition and acceptance of interdependence and peaceful co-existence between earth, plants, and animals. Within the African traditional outlook, human beings tend to be more cosmically humble and therefore not only more respectful of other people but also more cautious in their attitude to plants, animals, and inanimate things. It is commonly known as *ethno-ethics* and advocates that an African ethics should be concerned with articulating and reconstructing the implicit philosophy behind the habits, customs and beliefs of a society. It views ethics as consisting in a set of shared beliefs, values, categories, and assumptions that are implicit in the languages, practices and beliefs of African cultures; in short the uniquely African worldview. As such, communitarian ethics is seen as an item of communal property rather than an activity for an individual. African communitarianism is the perspective that recognizes both individual human dignity and the social dimension of being

human. It stresses ties of affection, kinship, personhood and a sense of common purpose and tradition. This main idea revolves around the fact that the concept of a person is tied to his/her community, where persons become persons only after incorporation into a community. Without incorporation into this or that community, individuals are considered to be mere danglers to whom the description 'person' does not fully apply. Outside the community, the individual is merely a dangling and socially disembodied metaphysical entity, not truly a person in the African conception.

However, the individual is both autonomous and a communal being. It is recognized that besides being a social being by nature, the individual also possesses rationality, moral sense, capacity for virtue, and capacity for free choice. The individual although originating from and inextricably linked to his family and community, nevertheless possesses a clear concept of himself as a distinct person of volition [23]. It is from this combined sense of personhood and communal membership that the family and the community expect individuals to take personally enhancing and socially responsible decisions and actions. As concerns personality characteristics in the community, Nyasani Joseph identifies and discusses sociality, patience, tolerance, sympathy and acceptance as: Areas in which the African mind seems to reveal itself in a somewhat dramatic way. It reveals itself through what may rightly be called a congenital trait of sociability. It further reveals itself as a virtuous natural endowment of patience and tolerance. And lastly it manifests itself as a natural disposition for mutual sympathy and acceptance. These three areas then appear to serve as important landmarks in the general description of the phenomenology of the African mind [24].

Kwasi Wiredu offers an explanation of the origin of communitarian conception among Africans, as he writes: African societies are, famously, communalistic. The individual is brought up, from the beginning, with a sense of belonging and solidarity with an extensive circle of kith and kin. The basis of this solidarity is a system of reciprocity in which each individual has obligations to a large set of other individuals. These are matched by rights owed him or her by the same number of individuals. Living amid the reality of this reciprocity, one soon begins to see oneself as presupposing the group. This is the mainspring of the normative conception of a

person [25]. The integration of individuality into community in African traditional society is so thoroughgoing that, as is too rarely noted, the very concept of a person has a normative layer of meaning. The fundamental argument of communitarianism is that liberal individualism presents a distorted description of what it means to be a person. Communitarians describe persons as social beings. They hold that persons are formed within relationships and have no identity apart from relationships. Personal autonomy, the ability to choose freely, is dependent in many ways on human relationships. People born within traditions develop their own identity – who they are, what they think and feel—in relation to other people. Communitarians thus use such phrase as the “socially embedded self” or “the dialogical self” or “persons-in-community” to describe the essential social nature of persons [26].

Yet, the criteria for personhood are still a matter of debate among bioethicists. Bioethics ideology rejects person status for newborns, people with severe brain damage, and those with dementia, all of whom it regards as beings of lesser worth than those with more developed frontal lobes. There is serious debate within bioethics, however, whether to extend personhood to some animals (“nonhuman animals,” in bioethics parlance), even as it is being stripped from some humans [27]. Bantu philosophy grounds communitarian thinking on its metaphysical and ethical foundations of the community. It identifies two forms of communitarianism which are *radical* and *moderate* communitarianism. Accordingly, radical communitarians in Africa include John Mbiti and Ifeanyi Menkiti who claim that: 1) the community defines a person as person (and not some isolated property like rationality and free will); 2) personhood is acquired (i.e. an individual's moral achievements earns him or her the status as a person, a full member of the community); and 3) personhood is something at which an individual can fail. As outlined and argued by Ifeanyi Menkiti, personhood is the sort of thing that one can be better at, worse at, or fail at [28].

Furthermore, personhood is not a static thing that is granted at birth but something that is attained as one gets along in society. Personhood is a communal concept that is not automatically obtained at birth or by virtue of possessing certain features. The individual becomes more of a person through moral growth and through the process of ontological progression. Personhood

is something one has to work for and something at which one can fail. An individual may be biologically qualified in terms of having body, consciousness, memory, will, soul, rationality, mental functions and so on, yet not recognized or considered person in typical African setting. The degree of respect for and observance of one's communal norms and values is crucial to one's essence as person. As Menkiti argues the notion of an individual who is not shaped by his community, its norms, and interests does not make sense in African cultures. From the African perspective, personhood may be diminished or lost in two ways: Lessening or loss of connection with other diverse beings – Kiswahili: "*Mtu duni*" and Being devoid of reason – Gikuyu: "*kindu*".

Further still, there are degrees of personhood, and its lower gradations can shade off into nonexistence in the life of a human individual. Life then, on the African conception, is a struggle for personhood. In the normative part of the African conception, a person is not just an individual of human parentage. To ascend to the status of a person, an individual has to have attained a certain degree of moral maturity and social responsibility. The word for a person in *Akan*, for example, is *onipa*. In one sense it means simply a human being; in another it refers to a human being of a certain moral and social status [29]. In much African reflection, the concept of personhood is moralized, such that to be a person in the true sense is to exhibit good character. That is, an individual can be more or less of a person, self or human being, where the more one is, the better. The ultimate goal of a person, self or human in the biological sense should be to become a *full* person, a *real* self or a *genuine* human being, that is, to exhibit virtue in a way that not everyone does. The phrases say that achieving the state of being a *mensch*, or having '*ubuntu*' (humanness), as it is known among many in southern Africa, is entirely constituted by positively relating to others in a certain manner [30].

In this African ethical matrix, the initiation rite of passage is one of the most important junctures where an individual evolves from childhood to adulthood. Initiation is preceded by a number of social and sexual ethical instructions, where a young person is prepared ethically for adulthood and where the person has to learn from elders of the family how to live responsibly as an adult and as a partner in married life, how to behave in matters of sexuality and procreation, in parenthood, family and community [31].

Moderate communalism is promoted by Léopold Sédar Senghor and supported by contemporary philosophers such as Kwame Gyekye, Kwasi Wiredu, and Segun Gbadegesin, claim that communitarianism stresses more on the group than on the individual. It sees society not as an aggregate but rather as a community of individuals. As far as Africans are concerned, the reality of the communal life takes precedence over the reality of individual life histories. This primacy is meant to apply not only ontologically, but also in regard to epistemic accessibility. Ifeanyi Menkiti argues that it is 'in' rootedness in an ongoing human community that the individual comes to see himself as man, and it is by first knowing this community as a stubborn perduring fact of the psychophysical world that the individual also comes to know himself as a durable, more or less permanent, fact of this world.

However, Kwame Gyekye emphasizes the role and the importance of the individual person as he argues that qualities such as: rationality, virtue, evaluation of moral judgments, and choice are important in determining personhood in Africa. He explains that the 'innermost self' of each and every person, called '*okra*' by the *Akan*, is something divine, and as such forms the essence of his or her individuality. In other words: each person is unique, because each '*okra*' is unique. Individual capacities, talents, dispositions, goals, and needs are met in interaction with others in society [32]. The community allows an individual to actualize his or her potential and develop personality in the social world without destroying his or her own will. Individuals have particular attributes, which they often exercise in contrast to the community. He further posits that: Individuals have a rational, moral sense and a capacity for virtue and judgment that the community nurtures. Individuals can also question what they do not agree with. Individuals are self-directing and self-determining and for that reason possess autonomy. Individual autonomy should not be equated with morality; instead, a moral agent must have the capacity to distinguish between good and evil. Although there is no conceptual link between autonomy and morality, there is a link between autonomy and freedom. Actions that result from a person's vision (visionary acts) concretize individuality because visionaries are always ahead of the public. Individuals who have visions can come up with innovative things to do even though such innovation might draw from the past history and narrative of the community [33].

According to his view members of the community often invest intellectual, ideological, and emotional attachment to the community and engage in reciprocal social relations within the family, clan, village, ethnic group, neighborhood, city, and nation. Community, in this sense, refers to a cultural community, one that shares values and practices, not simply to a language group. The idea of community implies a common good, which is not merely the combination of individual interests but shared values, working together to meet the necessities of life and a common humanity, and not merely a surrogate of total individual goods. Thus "the common good" refers to all the values a community shares: peace, freedom, respect, dignity, security, and satisfaction. The issue of human rights is a challenging issue which Gyekye elucidates and anchors its origin on the theistic and naturalistic conception. Besides the issue of rights moderate communitarianism also advocate social values such as peace, harmony, stability, solidarity, mutuality, and reciprocity. Individual rights should be matched with responsibility. A sense of responsibility implies that supererogation is not necessary to morality, but that morality should be open, with no limits placed on individual self-sacrifice [34].

3. IS COMMUNITARIAN BIOETHICS PATERNALISTIC?

Paternalism is generally perceived by many to be a threat to individual autonomy, liberty, rights and privacy. Although it is usually not controversial when applied to children or the mentally ill, it involves some kind of limitation on the freedom or autonomy of some agent and it does so for a particular class of reasons. An act is paternalistic if it interferes with the liberty or autonomy of the agent, it is done without the consent of the agent and if it is done with the belief that it will improve the welfare of the agent (where this includes preventing his/her welfare from diminishing), or in some way promote the interests, values, or good of the agent. Paternalism involves a conflict of two important values: 1) the value we place on the freedom of persons to make their own choices about how they will lead their lives, and 2) the value we place on promoting and protecting the well being of others. Gerald Dworkin claims that paternalism is justified only when two conditions apply. Firstly, the paternalism must be intended to protect against *irrational propensities* – deficiencies of cognitive and emotional capacity and ignorance, both avoidable and unavoidable. Secondly, to be

justified, paternalistic intervention must be restricted to decisions that are *far-reaching, potentially dangerous, and irreversible* [35]. According to his analysis paternalism is justified only for decisions that are far-reaching, potentially dangerous and have irreversible consequences. There are different forms of paternalisms such as weak versus strong. A weak paternalist believes that it is legitimate to interfere with the means that agents choose to achieve their ends, if those means are likely to defeat those ends. A strong paternalist believes that people may have mistaken, confused or irrational ends and it is legitimate to interfere to prevent them from achieving those ends.

In liberal societies, an individual's right to make independent decisions – has an impact on the most important relational facets of health care, such as patients' autonomy and professionals' rights of conscience. Although a liberal political framework protects individual judgement, this right is based on the assumption of an individual's competency to make sound decisions [36]. However, in African societies most persons lack sufficient competency to make independent and fully informed choices. In this modern era of evolving healthcare, where the borders of life and the possibilities of curing diseases have shifted dramatically, the practice and ethics of care are profoundly transformed and patients decision-making capacity are radically enhanced. According to this shift it is easily affirmed that medicine is overwhelmingly non-communitarian in the sense that it rarely concerns itself with the common good. Communitarianism is often viewed as the polar opposite of liberalism, as seeking to pre-empt individual choices by relying on communal normative criteria and authorities [37]. Confronted with the rising emphasis on professionalism and the prospects for the future of care through developments in precision medicine, communitarian bioethics must today widen its scope and profoundly renew the object of its reflection by building capacities that nurture community supporting practices and institutions.

However, there is an impulse in Western thinkers to develop universal arguments founded exclusively on the moral argumentation and political experience of Western liberal societies and on Western-style civil and political freedoms. No right is held more sacred or is more carefully guarded by the common law, than the right of every individual to the possession and control of his own person, free from all restraint or interference of another. Daniel Callahan

succinctly elucidates on this: Much more American is the appeal of autonomy as a central value, reflecting an important ideological strain in our society. It was the hallmark of our 1776 revolution, “give me liberty or give me death” as one of our patriots said. It helps explain our cultural resistance to the dominant welfare state in the UK and other European countries, most notable of late in struggles over the role of government in health care. The idea of “solidarity,” strong in those countries, has little purchase in the US [38]. Yet, the prevailing Western modes inadequately conceptualize and treat African communitarianism and fail to provide or promote a sound account of African identity that is dynamic and vibrant. The model demonstrates insensitivity to tradition-sensitive political language. It inadequately sensitizes bioethics to the importance of an African cultural perspective in ethical decision-making. There is a perceivable inherent inconsistency and intractable contradiction in the attempts to conceptualize the philosophical basis and foundational sources of African communitarianism based on Greek traditions such as Aristotle’s philosophy and other European thinkers. Thus, grounding the foundations of African communitarianism on Western values would amount to certain misunderstanding if its values are reflected, analyzed and associated solely with the Western ideal.

The Aristotelian views that ‘Man is a social animal, indeed a political animal, because he is not self-sufficient alone, and in an important sense is not self-sufficient outside a polis’ [39]. That is, the ideal of the intimate, reciprocating local community bound by shared ends, where people simply assume and fulfill socially given roles [40], and where the social meanings are integrated and hierarchical and community members or agents blindly respect and unreflectively endorse traditional norms, values and practices. As such grounding its root on Aristotelian philosophy leads to paternalism as people blindly respect values. This gives rise to the moral concerns whether individual rights are primary and cannot be violated for any reason or people should instead pursue the common good. Furthermore, the challenging issue of powers of a person’s obligations and social roles as well as on conflicts, legal systems, and individual responsibility since collectivist philosophy seem to negate individual subjectivity and autonomy in African reality. Does collectivist philosophy or ‘philosophy of we’ [41] actually resort to the

refutation of individual subjectivity or personal self and autonomy? African morality is not necessarily based on religion or faith, but on the beneficiary values of collective family and community well-being, without dissolving the individual’s character. African communitarian values do not forbid individuality, creativity or nonconformity, but it does mean that some weight in moral thinking is given to whether behavior upsets communal norms.

Kwame Gyekye argues that the communal structure cannot foreclose the reality and meaningfulness of the quality of self-assertiveness that the individual can demonstrate in his or her actions [42]. This view is against the arbitrariness of individual choice and provides adequate recognition to individual’s creativeness and inventiveness, and due regard for their human rights. As such, it does not obtain that there is no independent thinking and action in African societies but it always has to be within the norms of the community. The *proviso* often frequently emphasized is that while the individual has his individuality, his volition, and his personal identity within the community and recognition is granted individual autonomy, it should not override that of community. In the case of inequality of power and individual rights conflict, it is observed that societies do not always overshadow individuals since certain modalities predisposes an individual to particularize and to defend himself or herself from ‘collectivizing’ pressure of the community. Within the communitarian configuration, there is a distinction between “ontological” and “moral” concepts of personhood: Person as “being” and Person as “agent”. Persons as agents are premised upon their basic existence as self-conscious and rational beings, actualize their capacity for autonomous volition – *freedom*. This entails moral responsibility for one’s freely willed actions. The “moral self” is shaped over time by one’s freely willed interior and exterior actions. The ultimate goal of the “moral self” is to enter into meaningful and quality relationships with the “other” in community. The inherently *communal* dimension of personhood common to African ontology allows for the construction of a person’s *authentic* “moral self” and the exercise of true “freedom” within, and not in isolation from, one’s community [43].

Moderate communitarianism is appealing because a radical communal thesis paints only a partial portrait of the dialectic between individualism and communitarianism [44]. The

human rights question suggests and implies that individuals have certain rights and should therefore possess self-determination. Strengthening individuality cannot be seen then as a concession to Western values because the Western tradition also supports communitarian perspectives. Standing on principles, upholding universal ethical values and the quest for objective truth does not necessarily imply abandoning the standards of consistency and relevance (refuting other principles and values of other communities different from ours and which is consistent to their worldview and vision of life) we uphold in other aspects of our lives. Thus, the idea that there is a universal "Enlightenment" account of "Reason" that can be imposed unproblematically on any nonwestern context is very problematic. As succinctly outlined: "ethics does not consist of a static set of theories or principles that can be unproblematically 'applied' to new situations", and "[t]here might not, and cannot, be universal norms in bioethics, as emerging ethical norms are as 'epigenetic' as the science they circumscribe" [45].

African communitarian bioethics is communalistic in nature and is to be contrasted with the Western ethical tradition with its emphasis on an individual's sense of self and autonomy of being. However, the authority and power relationship, and limited patient rights prevalent in research and clinical encounters in Africa is something we need to pay serious attention to and encourage more training and funding facilities. There is need to develop and sustain more rigorous and robust ethical norms and to enhance international ethical standards to guide research activities in the regions. The fact obtains that major segments of African communities are vulnerable groups, persons with lower socio-economic status, desperately poor and often uneducated populations with little access to health care. They are extremely vulnerable population who are medically, politically, economically, socially, technologically disadvantaged and disfavored. Researchers constantly cross serious ethical lines to exploit the vulnerability of Africans. Till date, mainstream bioethics fails to attend to the particular moral worlds of patients and their family members. Instead, it overwhelmingly embraces a quality-of-life ethic that requires individual humans to earn their moral and legal rights by displaying certain cognitive capacities. Daniel Callahan observes that there is a resolutely secular, and usually liberal, ideological commitment in mainstream bioethics which flavored the field, often in a way biased against

conservative values [38]. That is, those whose advocacy is rooted in religion are usually ignored from deliberations. Mainstream bioethics reached a consensus long ago that religious values are divisive in a pluralistic society and thus have little place in the formulation of public policy. Those who believe in abortion rights but also hold that all born humans are equally endowed with moral worth, along with those who subscribe to the "do no harm" ethos of the Hippocratic oath, have little impact, since mainstream bioethics rejects Hippocratic medicine as paternalistic and shrugs off equal human moral worth as a relic of the West's religious past [27].

However, mainstream bioethics fails to capture some embedded normative beliefs, from metaphysical beliefs about the nature of life and death to cultural beliefs about personhood, selfhood and authenticity. How Africans conceive life, personhood, and embodiment, sexuality, morality, and ethics, race and ethnicity; and kinship and gender in cross-cultural contexts. Additionally, the socio-economic realities and levels of public perception and awareness are largely neglected. Africans are treated worse than others with respect to healthcare, including less research attention to major diseases they suffer from, because of their race, cultural differences, poverty and ignorance. Africans for generations experience limited health care access, endemic poverty and mistrust of medical research done by non-Africans. The resulting consequence is the high degree of low trust and suspicion of Western values, researchers, scientists and the challenges experienced in advancing health care programs and research activities within Africa since they do not take African traditional and cultural values seriously. They lack effective social uplifting, community empowerment and engagement leading to self-alienation and humiliation since the values and principles they uphold and promote are alien or estrange. Also, not aim at correcting injustices and the non affirmation of the rights of community members who would hardly identify or recognize them. The modes and paradigms of knowledge instituted the distinction between developed and underdeveloped into a dichotomy between good and bad based on the belief in the superiority of their knowledge and values. This often fragmentalize, marginalize and alienate indigenous models of knowledge and traditional practices since they lack serious consideration for what local communities consider important in their worldview and practice. Failure to recognize values which local communities consider as

authentic expression of their humanity, being and existence can be morally reprehensible and serious actions are required to address and redress the issues.

Furthermore, in clinical research in an African setting, where normative decision making is crucial and where the influence of the community on individual decision-making is very high, the confusion between what is good for a person and what is good for someone else, be it their family, the community, or society as a whole influences research. Most research in this African context is carried out in a complex regulatory environment with very limited moral framework and policy vacuum. The inequality issue where researcher and community are not seen as equal partners and are not equally informed on what is to be done. How the process is to be done including the outcome and benefits of that outcome. The current process of interaction is not based on equality between the researcher and the community who are the knowledge holders and producers in their daily life activities. The researcher sets the agenda based on purely economic or profit motives and the community is passive as a denigrated thing of absence. The community is just there to be studied as mere objects of existential insignificance serving as mere resources for research. Most often, even the language of the research process is foreign to them [46]. The community is object of information, never subject in communication as they are spoken to but never listened to or communicated with.

Within this research context, the leaders and elders of the community play an important role in the process of securing informed consent. But participants or patients should give free and informed consent to research participation or treatment as recognized in international standards. International standards tend to focus on the rights of individuals who may participate in research, and prescribe procedures meant to ensure that potential research subjects have the freedom to choose to participate or not. In order to do this, prospective participants must be able to understand and appreciate the information they are given, the information about risks, potential benefits, and alternatives must be clear and comprehensive, and individuals must understand that they are free to decline to participate or to withdraw from the study at any time [12]. Researchers must first meet with leaders and elders of the community to discuss different approaches of treating ethical issues or

certain deep-rooted cultural issues and to get permission to enter and interact with community members. It is only when leaders give assent that researchers can then proceed into broad discussions with community members that involves defining what research is, aims or goals of research, risks and benefits of research to get their consent or refusal to be part of a research project.

However, research in Africa still lacks a deep understanding of important ethical principles, such as protecting human dignity, serving the patient's best interest, and doing no harm in decision-making for patients. Researchers should seek to ensure that patients are given adequate information, are consenting to treatments and procedures voluntarily, and have the capacity to understand and appreciate the potential benefits and risks of the care they receive. Non-maleficence ("first do no harm"), beneficence (doing good) and trust are fundamental ethical principles at the heart of clinical care. In these research settings, patients and their families bring many different cultural models of morality, health, illness, healing, and kinship to clinical encounters. Religious convictions and cultural norms play significant roles in the framing of moral issues. This process aims at building transparency and empowerment or aims at empowering the capacity of community members about research, risk and benefits, and build researcher's capacity in understanding cultural practices, beliefs, human rights, religion and tradition of the community so as to encourage trust, partnership and engagement. A sense of trust must be developed between the two parties, especially with regard to disclosure of certain information which are confidential to the community and how they are going to transmit that information to the researcher [47]. Engagement with local stakeholders is needed to harmonize fundamentally different ways of understanding the human body and community identity with the aims of contemporary biomedicine. It further enhances dialogue and collaboration and offers a deeper sense of the democratization of science as a countervailing approach to dialogues where sponsor interests dominate. This can be facilitated through the mapping out of principles that free, equal, and rational people would agree. Which facilitate a democratized governance of science to ensure exchange of ideas and information in order to promote respect for human dignity, freedom and recognition of each other's right of justification.

In this context of communitarian decision making where liberal conception of autonomy suffers as patient rights are trimmed and collective rights are expanded, there is need to develop more social and communal concerns and trends in ethics that incorporate values such as: reciprocity; mutuality; solidarity; citizenry; and, universality. However, the biggest problem resides in the fact that there is serious need for outlining moral laws, rules and principles that need to be observed to respect human dignity, human rights and fundamental freedoms that conform to our communitarian outlook of life. Furthermore, there is need to develop mechanisms, guidance and expertise for risk assessment, careful analysis and potential for harm and what is good for the community. That is, African experts to distinguish good and bad arguments, and to separate reasoned thinking from fashion, societal pressure, prejudice, and government policy and who evaluate whether the dangers outweigh the benefits. Also, where the lines should be drawn between what are feasible and what is desirable or ethical. The fact obtains that ethics in Africa is essentially reactive and not yet proactive. Reactivity is limiting because it reacts and actions are taken only after the harm has occurred, meanwhile, proactivity places persons in a comfortable position to anticipate the harm, put it under serious control or eliminate the undesirable consequences before it could occur.

African states can easily develop and incorporate a communitarian version of autonomy and build institutions. African governments can develop patient rights acts in communitarian legislation that accommodate patient autonomy and build Research Ethics Committees empowered to resolve patient-doctor disputes. Furthermore, there is need to devise new ways to revive physicians' commitment to professionalism and all that it entails (reducing errors; ensuring safe, consistent, high-quality, and convenient care; removing unnecessary services; and improving the efficiency in the delivery of services). The change needs to start in medical school. Medical school establishes the foundation upon which all subsequent training and practice rests. To ensure that physicians actually demonstrate professionalism—and not just articulate the ideal—the leaders of medicine must cultivate an environment that permits and encourages a focus on patients' well-being [48]. They can get inspiration in the *Ubuntu* framework which promotes and reflects universal values of uplifting, humanistic beliefs of personal

empowerment in that: There exists in every human being an enormous wellspring of potential. Within that wellspring of potential lie five fundamental sources of personal empowerment and social harmony: human consciousness, compassion, creativity, collaboration, and competence. Activating and expanding these five qualities within individuals, teams, groups, and organizations are the keys to humanity's ultimate unity, prosperity, well-being, and survival [49]. Additionally, science and technology should be used to eradicate poverty and promote health, and the protection of the environment.

Moreover, an African ethical problem needs an ethical solution that comes out of the continent, out of its own innate culture and anthropological understanding and moral values. Africa is the cradle of human life and if bioethicists are confronted with a fatal pandemic, we must first refresh our faded memories with the moral principles of this continent. Amongst them: The profound anthropological and fundamental moral understanding of the Africans does not differ much from universal anthropological and fundamental moral principles, such as, the principle of life as the greatest gift to humans, respect for life, love for life and procreation, and an understanding of the existence of the person in the strong living chain of ancestors and the lives which are to come in the future; The deep religious sense and rich expressions of interiority which are essential for fostering moral values and principles; The great human resource of young and energetic people who are capable of education, knowledge, development and contextualization of African values in a modern world; A strong sense of solidarity, family and community life and care for the sick and dying; An ever growing political awareness and political sense that is capable of changing the social and economic reasons for the spread of deadly diseases; A greater thrust for the recognition and promotion of human rights, freedom and equality [50]. Enhance the platform for collaboration, networking and information sharing on bioethical issues within the region and other parts of the world.

4. CONCLUSION

In spite of recent criticisms on communitarian bioethics and questioning on the 'goodness' of the theory and though questioned using categories and values foreign to the authentic African communitarian principles, the fact obtains

that communitarian bioethics is more influential in the world and in the future would become the dominant bioethical values. This view is based on the fact that communitarian principles and values flourish most in the whole of Asia and Africa since they constitute the main predominant values in these cultures. African bioethics has more in common with Asian bioethics since there are no equivalents of Aristotle and European philosophies in East Asian philosophy. East Asians typically place more emphasis on other forms of communal life—the family in particular has been important theme in Confucian ethical theory and practice, relative to Western philosophy. African and Asian philosophies are homologous in the conclusion that normative elements such as human dignity or virtues are crucial defining elements of person. In America, communitarian values are common and flourish amongst African-Americans and as globalization drives change in the globe, emerging challenging issues would force people to embrace communitarian values in decision making than any other. Furthermore, giving the plurality of our backgrounds, our moralities, and our narratives, bioethics must open the new way to a more interactive and embrace integrativity, and pluriperspectivity. It must encourage a vibrant multi-cultural discussion that inculcates a culture which values diversity as approaches to enhance the future of the field as a veritable global enterprise. That is, the enterprise which facilitates the moral responsibility of man for preservation and protection of total life. And which provides *orientation* for solving some of the crucial problems of mankind and of the eco-system. Bioethics thus becomes the planetary ethics of life in our time, because our entire life and eco-system is threatened by the scientific-technological approach of domination over nature that, at the end of the day, amounts to utility. Integrativity and pluriperspectivity reflect a self-critical and self-reflexive form of bioethical discourse that sustain a critical awareness to openness and diversity, and provide a democratic, dynamic and co-operative approach to ethical decision-making for humanity.

COMPETING INTERESTS

Author has declared that no competing interests exist.

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