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## **The Sanctity of Human Life; A Synthesis of African and the Church's Value Perspective**

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# The Sanctity of Human Life; A Synthesis of African and the Church's Value Perspective

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## Abstract

The sanctity of human life has been a central theme of debate in various spheres of theological and philosophical disciplines. Concepts and subjects like abortion, justifiable killing, and excusable homicides, have been handled by many authors from various disciplines of study and schools of thought. For instance, on the subject of abortion, there are those who argue in support of pro-choice while others are for pro-life. African and Christian values of life, "from the womb to the tomb" should be amplified. This paper was an attempt to further reaffirm the dictum on the sanctity of human life and the fundamental moral obligation to protect it. In his message to Africa at the end of the 1994 African Synod, Pope John Paul II, asserts that "In African culture and tradition, the role of the family is everywhere held to be fundamental." The Church's teaching and prophetic role is to be the voice of the voiceless; especially when it is argued that voices against abortion seem to interfere with women's autonomy and power of self-determination. The government has a mandate to protect its citizens, both the living and the unborn. It is the government's duty to intervene through its agencies to enforce the civil rights, laws and safety of its people. This paper was mainly a qualitative study that heavily relied on existing literature both in the African cultural values and the teachings of the Church. The paper was guided by the author's reflections and personal experiences as a priest. Further, interviews and discussions with the elders and those considered to have knowledge on the various thematic areas of the paper were consulted.

The study revealed that both the Church's teachings and the Abagusii Bantu traditions hold a high regard for the sanctity of life, asserting its inception from conception. Both bodies condemn actions against life, such as contraception and abortion, while emphasizing the protection of the vulnerable. Incorporating these traditions into modern education and Church catechesis could counteract growing indifference towards life's value in the contemporary world. The study recommends the incorporation of the Abagusii tradition, emphasizing the fundamental right to life and protection of the vulnerable, into modern education systems and Church catechesis. It also advocates for the preservation and promotion of similar cultural traditions to counter increasing apathy towards life's sanctity in the contemporary world. The study also highlights the significance of embracing and disseminating the teachings of the Magisterium and Vatican Council II documents, affirming the sanctity of life from conception as crucial for upholding human dignity and the common good. This paper can be a resource for policy makers, scholars and the general public on the Sanctity of Human Life through the lens of the Church's teachings and the African values system.

**Keywords:** Sanctity, Human Life, The Church's Values

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## 1.0 Introduction

The 21<sup>st</sup> century has witnessed the most phenomenal advancement in science development in the history of mankind. New discoveries in Medicine and other biological sciences have provided man with scientific explanations and solutions to a myriad of human challenges. However, with this challenges there have also evolved more and new moral problems in human society. While there is no contestation on the benefits science and technology have brought to human society, there are questions on if these has been disposed solely towards the service of human moral values or have negative ethical consequences. Health care personnel are often faced with moral and ethical dilemmas that never existed in the past. An example pertains to the current “abortion on demand” tendency. These are issues centered on sexual morality. We cannot ignore in the same respect the widespread use of all sorts of birth control mechanisms, which have turned sex into a sort of “free moral-zone”. The sad part is that when these contraceptives fail to work, the victims resort into abortion. Cases of fetuses thrown into pit-latrines, dustbins, or abandoned by the road side have become so rampant. Abortion is prohibited in most of the African countries. Abortion in this paper is defined as “the performance of an act, the primary and natural effect of which is to expel a nonviable fetus from its mother’s womb.”

The catholic teachings and values also do not support abortion and the church is in the front line as a defender and promoter of life. With the pressure that surrounds a woman who gets pregnant in school or in college, and the risk of losing her potential social and life chances, objective rational decision making can be highly compromised. There are also strong movements with contrary and conflicting opinion from the catholic teachings, which argue for *pro-choice* or *pro-abortion* action for women. These groups are assisted by a variety of organizations from abroad, like the British organization Marie Stopes which are in the vanguard in changing Kenya’s cultural reticence to killing unborn babies. Other enticing groups promoting “mental health” and “comprehensive family planning” are selling the idea of abortion quite well.

The aim of some of these organizations is to put pressure on the State so that abortion may be legalized in Kenya. They argue that this is securing women’s reproductive health. In fact, some people feel that the Church’s call for the respect for life is against women. To such a people, it is “unbelievable” that the Church says no to abortion even when they are raped. In reality, the Church is not waging war against women, instead it is fighting the evil of abortion by protecting the same woman and her unborn child. This is a fight between good and evil, and between truth and lies. While rape is criminal, and violence against a woman ought to be deplored, still the child of rape has a right to life. Despite this, the good will of some donor countries to Africa is notable as, for example, the Declaration on Children’s Rights of the United Nation Organization (UNO), the World Health Organization (WHO), among others. Pressure to legalize abortion leaves “boiling” moral and ethical questions. What intrinsic right does the fetus have, and how does one balance the rights of a child against the rights of the mother? After conception, what criteria would parents use to choose whether to carry the fetus to term and bear the child? But this begs the question of two equal parts of a dilemma consisting of the ability or willingness to raise the child.

Conversely, *anti-abortion* or *pro-life* groups maintain that human beings are not the lords of life but God alone is (Deuteronomy 32:39). This exclusive divine lordship imposes the

obligation of respect and protection of human life. The significant issue is that human life calls for stewardship responsibility. The issue of abortion has been handled by many authors from various disciplines of study. Some are *pro-choice or anti-life* and others *pro-life*; and each group put over its own case. This study attempted to respond to the feminist argument advocating for abortion as an issue of equality for women in an unequal world. The Church's teaching and prophetic role is to be the voice to the voiceless; especially when it is argued that voices against abortion seem to interfere with women's autonomy and power of self-determination. The government has a mandate of protection of its citizens, both the living and the unborn. It is the government's duty to intervene through its official agencies to enforce the civil rights, laws and safety of its people.

### 1.1 Justification and Relevance of the Study

Current pressure against African and Christian values of life, "from the womb to the tomb" call for a response, and this study is an attempt to provide one. According to this paper, there are as yet few reactions from the African perspective about the issue. This work might serve as a resource for policy makers and the thinking of academics and the general public about the issue. Drawing on relevant African moral and cultural values, this study explores the impact of abortion on individuals and the family, with special reference to Kenya. In his message to Africa at the end of the 1994 African Synod, Pope John Paul II, from the Christian perspective, confirmed this, by saying that "In African culture and tradition the role of the family is everywhere held to be fundamental. Open to this sense of the family, of love and respect for life, the Africans love children, who are joyfully welcome as a gift of God. *'The sons and daughter of Africa love life.'*"<sup>1</sup> Christian evangelization and human development or advancement in medical science cannot operate independently from each other. The separation does not work outside the plan of creation and redemption. The human person is not an abstract being but is a subject to social and economic issues. Therefore, the anthropological order necessarily penetrates the spiritual. Evangelization affects the concrete situations and calls for justice.

### 1.2 Problem Statement

According to Abortion Worldwide report of 2014, an estimated 55.9 million abortions occur each year. Out of this, more than 2,500 women die each year from "unsafe" abortion.<sup>2</sup> According to the Church, one cannot proclaim justice or the commandment of love with abortions being carried on in the country. This is why the Synod Fathers (as noted in *Ecclesia in Africa*) affirmed that although hers is a saving mission, "the Church does not only communicate divine life to men [sic] but the dignity in some way casts the reflected light of that life over the entire earth, most of all by its healing and elevating the impact on the dignity of human person."<sup>3</sup>

From my pastoral experience in the parish, abortion cases were mentioned quite often, both from young girls and married women. On the other hand, as Diocesan Pastoral Coordinator, I had a chance to interact with other priests from other pastoral zones in the country where I discovered

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<sup>1</sup> (John Paul II 1995)

<sup>2</sup> (Mulama 2004)

<sup>3</sup> (John Paul II 1995) No. 43.

that this was a countrywide issue and so a very serious issue to be addressed. Human life has an inherently surpassing greatness; it is a precious gift from God whose life is infinite. The child, right from the moment of conception, becomes the expression of divine life.

Abortion is systematically and continually taking hold of Kenya's women of child bearing age. These demands unveil certain principles that lie behind it. What is the fate of the glory of the African traditional family in the face of abortion? This is the question this study sought to explore. The Kenyan society in general and families in particular have experienced very rough moments from the devastating moral effects of abortion. Against this, the Church has constructed some hospital units which train medical personnel about abortion to wage war against it. The effort is to institutionalize a long-range plan to change attitudes towards the "culture of death," in order to stand up for human life.

## 2.0 Methodology

The paper relied mainly on qualitative literature review and personal experiences from my pastoral duties and reflections on the subject areas of the paper. Further, interviews and discussions with the elders and those considered to have knowledge on the various thematic areas of the paper were consulted. Authors, both Christian believers and non-believers from different disciplines such as physical sciences and biology, theology, philosophy and anthropology, were used as sources in this work. The paper focused in two broad arguments presented by the two different views on this subject: the *pro-choice* who advocate for freedom to abortion; the *pro-life* who promote respect and protection of human life at all stages of development, and thus are against abortion. They maintain the principle of the right to life. Again, pro-lifers are not necessarily believers but people who respect the fundamental values of human life.

## 3.0 African Concept of Person

The African societies have a common understanding of the term person. Primarily, the definition of the term depends on family ties and lineage in connection to the sense of belonging.<sup>4</sup> That is, the individual is always thought of in relation to a specific family. This implies, first and foremost, that it is the family that knows this person and thus can tell the world who he or she is. The person can also tell who he or she is through the family. Although this does not imply that it is the community that attributes attitudes of value to a person at will, the family, having the first knowledge of this being, has an obligation to announce or introduce him/her to others. Thus, John S. Mbiti explains the understanding of the marks of identification of the human person in this way: There are marks of identification, incorporation, membership and full right; they are indelible scar that 'I am because we are, and since we are, therefore I am.' The individual is united with the rest of his [or her] community, both the living and the dead, and humanly speaking nothing can separate a person from this corporate society.<sup>5</sup>

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<sup>4</sup> (Nyamiti 2005)

<sup>5</sup> (Mbiti 1990)

The individuality of a person is not to be misunderstood to mean that identity depends totally on the social and historical context. In other words, according to Beller, Mbiti's explanation means that "The search of why I exist should coincide with the search of why we live....Every time we talk about man, we should not think of a concept, but of humankind in its real and substantial unity."<sup>6</sup>

Elsewhere, Mbiti indicates that the "we" and the "I" are found to exist in significant aspects of life. Thus, he states, "The existence of the individual is the existence of the corporate; and where the individual may physically die, but this does not relinquish his social-legal existence since 'we' continue to exist for the 'I.' This continuity is of great psychological value,"<sup>7</sup> which actually seems to guarantee the hope of security that might be lacking where people live. As the Swahili proverb puts it, "*Mtu ni watu*," meaning a person is one in relation to others. In other words, according to Beller, "Through the category of relation each one places himself in front of the other and considers himself as the Other of the Other."<sup>8</sup> At the same time, he continues, "In vitality, African thought is presented as the expression of a people . . . the hierarchy of values, the individual, or the person . . . 'I' and 'You' find their identity in a 'We' which finds expression in the reality of the community."<sup>9</sup> This is also the idea that Benjamin C. Ray, in *African Religions*, elaborates:

African thought also recognizes that each person is a unique individual, endowed with his or her own personality and talents and motivated by personal needs and ambitions, even a particular destiny in life. To this extent, African thought acknowledges an aspect of personal identity that is independent of family ties. However, the emphasis upon a person's individuality is always related to the person's identity as a member of an extended family and to the social and historical context.<sup>10</sup>

This view on identity, to some extent converges with the western understanding on individual identity. For instance, Boethius's definition of a person as "an individual substance of a rational nature," which is also the Bantu view.<sup>11</sup> Nonetheless, the identity of a person between Bantu and the Western thought is not identical in itself since "The [Bantu in] African concept of the person never approximates that of the Western notion of individualism."<sup>12</sup> As is also expressed by Taban Lo Liyong:

You will be fascinated with the sense of communal belonging, of sharing in times of feasts. But while that should be admired by us all, stop and ask: Why did they stick together? Why did they decide to share? And the answers will give you the

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<sup>6</sup> (Remy 2001) 41.

<sup>7</sup> (Remy 2001)

<sup>8</sup> (Remy 2001)

<sup>9</sup> (Remy 2001)

<sup>10</sup> (Ray 1976)

<sup>11</sup> (Gichure 1997)

<sup>12</sup> (Ray 1976)

other facet of life in Africa, the debit side: all was not well with the Garden of Eden....[Our] ancestors willed to share their poverty in answer to the challenges of their economic, social, and political situations then.<sup>13</sup>

With regard to the relationship principle, we have seen above, the personal freedom and individuality is governed in and by family and vice versa. This is not to suggest that “African communal morality absorbed and swallowed up the individual’s freedom and identity,”<sup>14</sup> but that this freedom has its limits in relation to other members in society. Human life is portrayed as a fundamental value to the community and the world. As one author explicates this idea, respect (*respicere*) in this perspective means paying attention to a being, with faith and reverence.<sup>15</sup> Faith and reverence pertain to the fact of man being created in the image of God (Genesis 1:27).

Respect for other persons is a value maintained and taught orally in Africa from one generation to another. This is possible only when the African view of the person strikes equilibrium between collective and the unique in the individual. Thus, in a general sense, African philosophy defines a person in the context of belonging to social groups. The person is a constituent of a certain community, and the community in turn defines this person, giving him or her potential growth into the future.<sup>16</sup>

There are three basic forms of a person’s relationships: the level of the private self (free from family bonds), the level of the community, and the level of the supernatural powers. On the latter, Nyamiti explains that “[A]ncestral relationships is not just a mere product of human conventions, but is founded on a human spiritual, bodily and societal structures.”<sup>17</sup> Likewise, Ray elaborates, “Every person is a center of relationships between the self, the world, and invisible powers that influence and are influenced by a person’s behavior. This moral ideal is the harmonious integration of the self with society and the spiritual world.”<sup>18</sup>

In the African context, a people under one *ancestral ship*, try, in a way, to live a universal moral theory. According to Joseph K. Kahiga’s African epistemology, “[T]here are fundamental, objective moral principles and values that are universally true for all people, independent of their personal beliefs or cultures.”<sup>19</sup> It means, that the African way of thinking and behavior is shared in a substantial social grouping, which gives them identity in relation to other social groupings, and in which all Abagusii participate in one way or another.<sup>20</sup> This helps to avoid *cultural relativism*, a theory which holds that morality is an invention or a matter of opinion. It is not that,

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<sup>13</sup> (Liyong 1972)

<sup>14</sup> (Constatine 1992)

<sup>15</sup> (Gacambi 2001)

<sup>16</sup> (Gacambi 2001)

<sup>17</sup> (Nyamiti 2005)

<sup>18</sup> (Ray 1976)

<sup>19</sup> (Kahiga 2005)

<sup>20</sup> (Ferguson, Wright, and Packer 1988)

ordinarily, all members of the community manage to keep to this, but that this is what it ought to be.

Abagusii value of life is based on Bantu ontology and psychology: creation is seen to be centered on humanity, that humanity is the most powerful of all creatures; other creatures are inferior and a gift at human disposal, to increase human vital force.<sup>21</sup> In Bantu wisdom, the human being is superior to all other creatures because the person, the *Muntu*, is an active cause who exercises his or her vital force, which is within himself or herself a living force.<sup>22</sup> This means that each human person is a unique individual, with ability within his/her own personality and talents, motivated by personal needs and ambitions, with a particular destiny in life.<sup>23</sup> Liboire Kagabo hypothesizes that the end of a human person in Bantu religion is the perpetuation of humankind; contrary to which, according to them, is a disgrace. Above all, “God is the ultimate end of the person.”<sup>24</sup> One might wonder and ask whether the child in the womb meets this definition.

The response to the above question, in the perspective of the Bantu, is “yes.” Embryonic life, in this view, has to do with personality formation which influences a human being before birth. As Nyamiti spells out, the term person and its derivative “personality” in African metaphysics, is based on the core elements of the human spirit, including “‘the principle of non-contradiction, finality, and causality, as well as the concept of the person as a free and intelligent subject, with a capacity to know God, truth and goodness’ together with ‘certain fundamental morals norms which are shared by all.’”<sup>25</sup>

### 3.1 African Beliefs Attached to Life

An African views life in an anthropocentric way. As Damian Musonda notes, “This means that the African people believe that at the center of the world is the human community.”<sup>26</sup> But this does not imply the absence of God in daily operations. As Tempels elaborates: Inferior forces . . . (animals, plants, minerals) exist only, and by the will of God, to increase the vital force of men while they are on earth. Higher and lower forces, therefore, are thought of by the Bantu in relation to living human forces. . . .<sup>27</sup> This is what Bujo means by noting how “The focus of this world-view is life, and life ultimately is God’s gift.”<sup>28</sup> He points out the inaccuracy of some peoples’ view that, in certain situations, an African has little consciousness of God and his role in

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<sup>21</sup> (Masolo 1994)

<sup>22</sup> (Masolo 1994); (Tempels 1959)

<sup>23</sup> (Remy 2001)

<sup>24</sup> (Kagabo 2006)

<sup>25</sup> (Nyamiti 2005)

<sup>26</sup> (Musonda 1996)

<sup>27</sup> (Tempels 1959)

<sup>28</sup> (Bujo 1994)

daily occurrences. For Bujo, as also emphatically expressed by Tempels,<sup>29</sup> such a claim is false, because, “when Africans honor the ancestors they are at least implicitly, also honoring God.”<sup>30</sup> The Bantu have a sense of the here and the hereafter: the human person comes into and “*passes*” through the world back to his/her destiny. According to the Pan-African Conference of Theologians’ Statement of the Accra Meeting (1977): The destiny of the human person and the context of life are basic assumptions in the life of the African people. Human destiny is the dramatic conflict between life and death, which finds its meaning in the victory of life over death. There is unity and continuity between the destiny of human persons and the destiny of the cosmos. The victory of life in the human person is also the victory of life in the cosmos. African anthropology and cosmology is optimistic.<sup>31</sup>

The relationship between the living and the dead is a fundamental feature of traditional African religious life. This relationship, commonly and misleadingly called ‘ancestor worship,’ has powerful moral and psychological dimensions and plays a vital role in everyday life. Important here are concepts of moral judgment, social stature, and the way in which the dead continue to be involved with the living, their closest relatives and descendants.<sup>32</sup> This is what Pope John Paul II clarified with regard to the African Synod (*Ecclesia in Africa*). It crowns the fact that human life is at the center of all created beings. At the same time this life is a unity of love between the living and the dead. The Pope writes:

It is precisely this love for life that leads them [Africans] to give such great importance to the veneration of their ancestors. They believe intuitively that the dead continue to live and remain in communion with them. Is this not in some way *a preparation for the belief in the communion with the saints*? The peoples of Africa respect the life which is conceived and born. They rejoice in this life.<sup>33</sup>

### 3.2 Legal Tradition and Individual Human Life as “Unity”

A person is one who has rights which go hand in hand with obligations. This is the case in the African sense: an individual is not only a person who has certain rights, but also has obligations which are mandatory in everyday life. For Bujo, *life* must be understood in a mystical or metaphysical sense and this is the basis of capturing the true meaning of the customary rule on *human life*. The African strictly believes that biological life is transmitted by God, and, instrumentally, through the ancestors and the elders.<sup>34</sup> By the fact that we are born in a family, a clan in a tribe we are plunged in a specific vital current, which ‘incorporates,’ molds and orients

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<sup>29</sup> (Tempels 1959)

<sup>30</sup> (Tempels 1959)

<sup>31</sup> (Pan African Conference of Theologians 1995)

<sup>32</sup> (Ray 1976)

<sup>33</sup> (John Paul II 1995)

<sup>34</sup> (Bujo 1994)

us to live in the way of this community, modifies ‘ontologically’ all our being . . . In that way the family, the clan, the tribe, are a whole of which each member is only a part. The same blood, the same life partaken by all and received from the first Ancestor, founder of the clan, flows in all the veins.<sup>35</sup>

This covers three dimensions of responsibility: the individual person to himself or herself, to the neighbor, and above all to God. This must not be taken to mean that those who are impaired and unable to take responsibility are not persons; the fact is that they have a right to be cared for by those who are healthy and of sound mind and body. Those who are impaired are also human persons because they relate and “touch” others in a *shared humanity*. This is what operates in structures laid down by customary law.

When the living conducts themselves according to the patterns established by the ancestors, they are strengthening the tribe or clan as a whole and contributing to the well-being of each individual member. The forebears protected the tribe and the clan against the forces of disintegration by their careful observance of law and custom. The living must do the same if their society is not to come to ruin.<sup>36</sup>

The unborn child is a member of the “mystical society” with “an inalienable responsibility for protecting and prolonging the life of the community in all its aspects.” Bujo further states that “In the African concept of life ... it is not simply religious and political leaders who have the obligation to preserve and transmit life. Every member of the community, down to the least significant, shares the responsibility for strengthening the force of the tribe or clan and of each of its members.”<sup>37</sup> From the African perspective, in the strict sense, all members of society are equal, to be respected, and protected. Bujo continues:

The morality of an act is determined by its life-giving potential: good acts are those which contribute to the community’s vital force, whereas bad acts, however apparently insignificant, are those which tend to diminish life. African society is a real ‘mystical body,’ encompassing both dead and living members, in which every member has an obligation to every other.<sup>38</sup> A law that does not recognize some members of society can neither be pleasing to God nor the ancestors and the elders. This sort of law affects the participation of members in society, consequently interfering with the society’s vital force because whereas, “[A] good deed increases the health of the community, and helps to build up the mystical body; an evil deed tends towards the destruction of the community. [In] the African world-view, all things hang together, all depend on each other and on the whole.”<sup>39</sup>

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<sup>35</sup> (Remy 2001)(Mulago and Abbel 1971)

<sup>36</sup> (Bujo 1994)

<sup>37</sup> (Bujo 1994)

<sup>38</sup> (Bujo 1994)

<sup>39</sup> (Bujo 1994)

### 3.3 The Beginning of Human Life

The beginning of human life in the Abagusii perspective is easy to perceive but hard to explain, especially in Western terms, because of the existing diversity. Usually, in the Abagusii community, a girl from age of twelve years and above was taken to her grandmother or her aunt for thorough instructions not only pertaining to home chores such as cleaning the house, cooking and using utensils, but also, and more seriously, concerning issues of women's menstruation cycle, behavior regarding men, sexual relations, pregnancy and birth, and Child care. As one of our respondents noted, "a girl knew how to be a mother by observing her own mother who was a real mirror for her, and taking care of her siblings from the time she was five or six years old."<sup>40</sup> According to the same source, traditionally young girls were to be trained by grandmothers and boys by grandfathers. Parents were considered too young to do so. The purpose of this education was to enable the young people transmit life honorably.

Robert A. Levine and Barnabas B. Levine note that, among the Abagusii, "The male contribution to the child's heredity, that is, appearance and temperament, is considered greater than that of the female; in fact, resemblance to females is overlooked while that to the father is noted and mentioned."<sup>41</sup> The sperm "had life," meaning the woman's role was as a container. In the male dominated Abagusii culture, all the characteristics of the father or grandfather must be seen to be present in the newly born child. The obvious pregnancy tests were, after sexual intercourse, the woman misses her menstruation periods, accompanied by other signs such as morning sickness (nausea), fatigue or weariness, vomiting and severe abdominal pains, frequent urination, and heavy and painful breasts. In addition, the woman may also naturally crave certain foods, lose appetite or taste, and so on.<sup>42</sup> The pregnancy signs further affirm the reality of human interdependence. These signs attract and seek the attention of others in the society to participate and support the sacred journey of the life that is.

Cravings for particular foods, such as bananas or eleusine grain, are recognized and indulged. Some women are said to be more quarrelsome when pregnant, and others demand that their husbands stay at home throughout the gestation period. Morning sickness is known, and one particular form of it involves the wife vomiting whenever she sees her husband or even when she sees his clothes in the morning. There is no medicine used for such conditions.<sup>43</sup> This meant that the woman (*omokungu*) has conceived (*Oberekire* or *bw'ebwateranirie*, or *obeire morito*, or *obogoirie oborito*). "There was happiness particularly on the side of the parents of both the woman and the man."<sup>44</sup> The woman is carrying the *conceptus*, another object or entity being carried, an individual or a different entity apart from the woman herself or her body. For the Abagusii,

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<sup>40</sup> (Manono 1999)

<sup>41</sup> (Levine, Levine, and Llyod 1966)

<sup>42</sup> (Moloney 2000)

<sup>43</sup> (Levine, Levine, and Llyod 1966)

<sup>44</sup> (Nyang'era 1999)

Menstruation is understood to be a monthly occurrence and is called *omotienyi*, which means ‘moon’ and ‘month.’ When a woman who has resumed menstruation since the birth of her last child and has been cohabiting with her husband (or another male) finds that she has not menstruated for two or three months, she assumes she is pregnant. She is happy and tells her husband, who is also pleased.<sup>45</sup> However, attention must be paid to the fact that among many African cultures, conception was beyond the biological factor of male and female gametes alone. Magesa explains that “

Conception is not seen as merely a result of man and woman coming together in the act of sexual intercourse. It is most basically understood as the result of a blessing from God and the ancestors. Without divine and ancestral blessing, conception may well not be possible. God, ancestors, mother and father must all cooperate for conception to take place. ... Every individual is therefore the outcome of a human act, God’s creation and ancestral blessing. In the act of conception, vast ‘kinship’ relationships are beginning to form between the visible and invisible worlds. More accurately phrased, they already have formed.<sup>46</sup>The Abagusii believe that Conception requires peace where everything is reconciled: nature, people, *chisokoro* and the Divine. Only then is there open the opportunities of experiencing the fullness of life. Referring to Francis Deng, Magesa holds the view that there are necessary “ingredients” that make the child’s beginning possible: the ancestors are involved in the act of conception in collaboration with the immediate parents. The ancestors are kind of “gods” by alliance. In “this kind of perception, ‘Even God is referred to in such personal terms as [...] ‘Father’ and His paramouncy implies His transcendent fatherhood over every person and over humanity at large.’”<sup>47</sup> This implies Divine intervention. In case of any sort of difficulty, it is believed that malevolent spirits are interfering with life. Yet, “Among the Bantu,” as Tempels affirms, “the conviction is held that life is stronger than death, that law is greater than injustice, that the vital will is more powerful than the forces of destruction.”<sup>48</sup>

### 3.4 Individuality of the Unborn in Abagusii Tradition

The concept of a person and its inherent characteristics have been discussed. We might say that in the Abagusii language the word “embryo” does not exist. The equivalent to “embryo” is “child.” The term is used carefully and must always be qualified to identify the specifics of this child: as one in the womb or one already born. This signifies the univocal sense of a human person in Abagusii (African) context.

Tempels, in *Bantu Philosophy*, tells us that the general notion of “man” is the common the Bantu people of Africa. For the Abagusii people, the life and existence of the community is determined by individual human beings. We are tempted to ask: “what” is an individual and what is his/her place in the community? Thus, “what”/ “who” is an individual and what is his or her role

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<sup>45</sup> (Levine, Levine, and Llyod 1966)

<sup>46</sup> (Magesa 1998)

<sup>47</sup> (Magesa 1998) ; (Deng 1984)

<sup>48</sup> (Tempels 1959)

in the community? These are difficult questions to define because of the fact that the individuality of a being (in this case an embryo) is very deeply tied to the mother. The child is always carried on the back by the mother.

As we said, *okobereka* refers to the function a woman is doing to another subject: the act of carrying the conceptus means that this conceptus is another being or entity which is being acted upon by being carried. But carrying (*kobereka*) a child is not the same as carrying a load. “The placenta and the umbilical cord are the symbols of the child’s attachment to the mother”<sup>49</sup> without which the embryo in the womb cannot survive. This is linguistically expressed by the Abagusii people as *okwebwaterania* (to conceive). *Okobogoria* and *okobereka* are not synonymous in the *Ekegusii* language, yet both are expressed as to “conceive” in English. This means an embryo is an entity different from the woman herself or is not part of her body because, otherwise, the pregnant woman would be carrying herself.

The act of carrying means dependence and it indicates the role of others who are not the “I” but offering services to the “I” in the interiority of the “US”. The idea of dependence implies a relation of one individual to another or others – an embryo to a mother. Thus, the embryo is an individual. From the Abagusii point of view, *omwana n’omonto*, the child is a person: dependence on his or her mother does not diminish the individuality of his or her being. By its nature, this dependence is only a biological right, during gestation, that no one be denied. This right is not limited to the embryo and the mother alone; it touches on many other aspects of community life. True, the individuality of embryo first touches on the individuality of the mother, but it continues to develop its potentiality through the mother’s contact with others, through the mother’s relationships with other members of society and the universe.<sup>50</sup> Anthropologically, according to Mbiti, the fellowship of the integral human family, the living-dead, and so on, is one of dependence, just like that of the unborn.<sup>51</sup>

Human beings by nature are interdependent dependents: one’s existence is “caused” by others who participate in procreation: the “I” of the individual is tied together as one with other individuals. As Mbiti demonstrates:

In traditional life, the individual does not and cannot exist alone except 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. 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.<sup>52</sup>

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<sup>49</sup> (Mbiti 1990)

<sup>50</sup> (Gacambi 2001)

<sup>51</sup> (Mbiti 1990)

<sup>52</sup> (Mbiti 1990)

This is what Tempels refers to by stating that: "... The neighbor's conscience remains inviolable, even for the closest friend."<sup>53</sup> Hence: "Direct knowledge of the living force, which is the man in himself, is not given to anyone among the Bantu. It is the privilege of the seer."<sup>54</sup>

#### 4.0 Abortion and killing in the Lens of the Abagusii Traditions

##### 4.1 Spontaneous Abortion or Miscarriage

Equivalent terms to miscarriage among the Abagusii include *Ogotitiboka* (heavy bleeding or hemorrhage) and *Oborito bwagure* (miscarriage has taken place). According to the book, *Nyansongo: A Gusii Community in Kenya*, "A miscarriage is considered a pitiful event, though not as grave as the death of a living child."<sup>55</sup> But this is true only from social point of view, in terms of how many people attended the funeral or how much wailing took place, but in substance for the Abagusii, life is the same and, when threatened, affects the family and the community in the same way.

Because childbearing was a way of being in touch with God through the ancestors (*Chisokoro*) and the parents of the child, pregnancy was promoted, respected and protected throughout its stages of development as embryo, fetus, infancy, to maturity and beyond to ancestorship.

Spontaneous abortion or miscarriage was not an ordinary event since it stopped the life process at its early stage. It was disturbing and the root cause needed to be found. There were several possible causes. In the Abagusii traditional culture, these were, first, adulterous relationships. In this case the woman ought to confess her misdeed in order to prevent further harm from injuring the wellbeing of the family. Second, if woman had had bad luck with previous child birth(s), it could be still the same misfortune going on. Third, the possibility of witchcraft or spirit affliction was seriously entertained.<sup>56</sup> Fifth, as mentioned by John Mbiti: Another regulation concerns food: expectant mothers are forbidden to eat certain foods for fear that these foods would interfere with the health and safety of the mother or child, or would cause misfortune to either of them after birth. For example, among Akamba the expectant mother is forbidden to eat fat, beans, and meat of animals killed with poisoned arrows, during the last three months of pregnancy. In addition to other foods [the pregnant mother] eats a special kind of earth found on anthills or trees.<sup>57</sup>

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<sup>53</sup> (Tempels 1959)

<sup>54</sup> (Tempels 1959)

<sup>55</sup> (Levine, Levine, and Llyod 1966)

<sup>56</sup> (Levine, Levine, and Llyod 1966)

<sup>57</sup> (Mbiti 1990)

## 4.2 Premature Birth

The term for the premature birth is *okorekera*. Traditionally, whenever there was a premature birth where the child could survive or was viable outside the womb, it was nurtured in a locally made, “Incubator.” The incubator was made by digging a hole near cooking stones (*amaiga ensemo*). The hole was covered with fresh banana leaves, at the bottom and on the sides. A blanket and other soft, good conductors of heat were placed inside the banana leaves. The premature child was then placed inside the hole, considered as still being in the womb. The child stayed there, feeding from there, until the mother and the clan saw the child through to term.

During all these days, the mother stayed in seclusion (*okwarama*), because she was not considered to have given birth yet. For this reason, the child was never named until it had completed the days or months remaining for the gestation. At this period, there is no ceremony to be done, either in the family or in the whole clan. This was to ensure that this life matures. To name a child in the womb was to show contempt to the ancestors and God, who knew when it was the right time for the child to be born.

At any rate, in most cases, the pregnant woman did not know which child she was carrying, whether male or female, since the names were mostly given according to gender. It was important to give the ancestors and God a chance to carry the baby to the decisive moment of maturity for, if the clan attempted to do the naming ceremony ahead of time, was considered as interfering with the ancestors by assuming their powers. It was necessary to wait for the miraculous God (*Nyasa* *Mokoni*) to perform the miracle (*Egekone*) of protecting this vulnerable human life to maturity.

If, however, the premature child showed symptoms of serious sickness and, perhaps, was in danger of death, the clan was morally bound to give a name quickly, and leave the ancestors’ and God’s will to be done. At the end of a successful incubation, there was a particular ceremony (*omoyega*) conducted in thanksgiving to the ancestors for having accepted to appeal in prayer to the powerful God (*Omonguru*) to will that this life joins the entire community. This was the rite of welcoming the child officially to the society, because it was assumed to have been born at that time.

There was a special naming ritual. The name was not to be given necessarily from the lineage of the departed family members, unless it tallied specifically with the circumstances of the premature birth. The names were given from a special list: *Morekerwa*, signifying the premature birth; *Gekone*, marking the course of the birth; and *Ontumi*, symbolizing skipping one’s proper days of birth. Other names were *Ong’uti*, one who escaped death and *Motugutwa*, one who was thrown out of the womb before time.

## 4.3 Direct Abortion and Infanticide

Previously in this paper, abortion is defined as “the performance of an act, the primary and natural effect of which is to expel a nonviable fetus from its mother’s womb.” Traditionally, when a woman or young girl learned she was pregnant, even when she knew the cause of it was shameful, such as adultery, she did not dare think of an abortion. Though a shame to herself and to the

reputation of the whole family, she received all support from her family to carry the pregnancy to term although she had to take the responsibility for the consequences.

For one, she had to “confess” the name of the man responsible for the pregnancy, especially during labor, because it was believed she could not have a safe birth until she did so.<sup>58</sup> The parents, family, and relatives took into account of the higher good, the personal life of the mother in question and the baby. For this reason, there was no coercion to abortion or infanticide. “Infanticide is not approved of by the Gusii in any circumstances ... and does not occur.”<sup>59</sup> If pregnancy occurred, it always resulted in childbirth.

The woman’s or girl’s “shameful” pregnancy was known, and often, discussed throughout the community. Nonetheless, this did not surpass human life: the woman’s life, the life of the embryo or fetus overrode it all. She was watched over; the adult and elderly women made sure that she went the ordeal of an illegitimate childbirth. The child was never considered illegal on account of the strong desire to have children in the Abagusii culture; once conception had been confirmed, it was considered as a human being. Obviously, today, premarital sex or adultery can result in premarital pregnancies. For this reason, with time, the abortion mentality is getting its way into the culture. Are, therefore, the Abagusii abandoning their culture in favour of another?

#### 4.4 Some Remedies for Murder and Killing

The Abagusii believe that life and death come from God. But death, as we have seen, was caused by human mischievousness. Normally, death was thought to occur at old age. Most of those who lived long were believed to have been faithful to the community customs, morally upright and obedient to the Ancestors (*Chisokoro*) and to God. When such persons died, their good character brought blessings, elevated the community by the peace they left behind. For this reason, to kill or to commit suicide was one of the greatest offences against *Chisokoro* and God. Murder and suicide were offences to the community and serious evils. They were never justified in any circumstances because they meant interfering with God’s plan for the individual killed.

#### 4.5 Taboos (*Chimuma*) and Sanctions against Murder

Though extant, taboos are greatly losing significance among the Abagusii people today. For example, proscriptions on planting and harvesting and others connected with agricultural activities, such as the father of the homestead having to first taste the first harvest before anybody else in the family and to offer libation to the ancestral spirits, are no more. But the taboos on the preservation and transmission of life still linger. As one author<sup>60</sup> observes in reference to the Bisa people of Zambia, the Kikuyu of central Kenya, the Kuria of South-Western Kenya, the Abagusii of Western Kenya with respect to the transmission of life, “Kenyatta speaks for many African peoples when

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<sup>58</sup> (Levine, Levine, and Llyod 1966)

<sup>59</sup> (Levine, Levine, and Llyod 1966)

<sup>60</sup> (Musonda 1996)

he says that the Gikuyu family group and the age-grades ‘between them shape the character and determine the outlook of every man, woman and child so that each individual is several people’s relative and contemporary.’”<sup>61</sup> The Bantu practiced forgiveness and reconciliation instead of hate and bloodshed. The individual’s blood is the community’s blood, and by losing a member of the family the community loses greatly. Therefore, if they have lost a member through murder, they cannot afford losing another by condemnation. For instance:

[T]he Gikuyu did not believe in killing the culprit because as they said, ‘A hyena should not be given a free meal twice’. They recommended compensation in the form of goats or sheep to the family of the deceased. The culprit was, however, helped to pay compensation for his offense by his own relatives or clansmen.<sup>62</sup>

These particular people believed that it was never wise to give death a chance twice. Referring to Aylward Shorter, Damian Musonda writes,

‘Taboos [were] proliferate especially in the area which concerns the transmission of life: marriage, sexual activity, pregnancy, childbirth.’ This shows that there is an intimate connection between taboos and life. . . . Taboos are meant to teach people about the most important values of life.<sup>63</sup> As Shorter portrays it elsewhere:

Taboo is a larger concept than sacred/secular or clean/unclean. The word derives from the Polynesian word *tapu*, meaning ‘tied.’ It refers to any ritual prohibition to which an automatic sanction – religious or magical – is attached. Taboos exploit an innate, irrational fear in the human psyche (Sigmund Freud). Culturally, they are used to inculcate practical attitudes [towards life], for example religious respect, or human precaution, through Religion as a Cultural System dramatic symbolism . . .<sup>64</sup>

“In the hierarchy of power ancestors are closer to God and can influence occurrences in our lives. They are omnipresent.”<sup>65</sup> As pertains to this fact, one ought to have abided by the norms and regulations, and lived in accordance with the society’s expectations. For example, never offend the ancestors by breaking taboos. One of the greatest of these taboos is to kill the weak, like children, the handicapped, the old and innocent persons; especially, pregnant women and an embryo or fetus, usually referred to as a creature of God (*Egetongire kianyasa*). With such acts one became a killer (*omorominta*) and the blood that such a person has “poured” was tantamount to a curse of not having a child, for his or her own character demonstrates his or her life is not in

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<sup>61</sup> (Kinoti 2003)

<sup>62</sup> (Kinoti 2003) ; (Kenyatta 1938)

<sup>63</sup> (Musonda 1996) ; (Shorter 1973); (Shorter 1985)

<sup>64</sup> (Shorter 2001)

<sup>65</sup> (Kirwen 2005)

conformity with the reality of caring for human life and thus, not worthy of being endowed with one.

The Abagusii believe that if one kills another person, whether innocent or guilty of a crime, the spirit of the dead can come back and haunt the murderer directly or his or her offspring or close relatives indirectly. The prohibition against the killing of a human being was so strong that the ancestors could severely punish the injustice of the killer (the *Omorominta*). The killer was considered to be possessed by evil spirits. This applied also to those who committed suicide, because it was in itself an inherent evil for one to be able to take one's own life. Such a person, as belief holds, is doomed for "eternal death," not worthy to be called an Ancestor nor remembered. The individual concerned was simply considered a disgrace to the family and the entire community. However, during the colonial times, the issue changed. Murderers were taken to court and executed secretly, which did not match with the Gusiiland understanding of justice.

Homicide under contemporary conditions in Gusiiland is treated as a police offense and is punishable by death (hanging) if the Supreme Court of Kenya decides it is murder and not manslaughter.... The family of the deceased wants to see the killer punished. [The Abagusii], however, regard the process of Western justice with respect to murder as absurdly ineffective.<sup>66</sup>

The Abagusii had no legal code of sentencing anyone to death. If anything, the Abagusii could not accept to lose a life for life. But in colonial Kenya it is the British colonialist, the *Mzungu*, whose decision mattered. At any rate, the Abagusii, however, would have wished the hanging of a murderer to have been done publicly to serve the common good, as the punishment claimed to do. When a man has committed murder, he should be hanged in front of a crowd of people rather than taken to Nairobi for hanging. When they are taken to Nairobi, people don't know whether they are really killed. If they were hanged in front of a crowd, people would know that bad things await those who murder others. Murderers should be taken to town, and everyone in the tribe should see them killed there.<sup>67</sup>

The philosophy behind hanging murderers, for example, in public also meant that they could at least have a burial rite where people could see the grave of the deceased.

The issue of suicide (*okwengw'enta*) is, as mentioned, connected to murder. The Abagusii considered suicide as a bad omen which affected the family and the entire community. For this reason, suicide was strongly condemned. Just like murder, suicide was a serious evil, a sign of moral disorder, whose cause was to be traced in the person or in his/her kinsmen.

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<sup>66</sup> (Levine, Levine, and Llyod 1966)

<sup>67</sup> (Levine, Levine, and Llyod 1966)

#### 4.6 Permitted Killing

Nonetheless, we must acknowledge that in the Abagusii tradition and customs, not all killing was prohibited. There were some exceptions where killing was justified, such as in self-defense. Although [Abagusii] profess a negative attitude toward killing, in pre-British times homicide was often a necessity for defense and other military operations against out-groups. The extent of what might be considered an ‘in-group’ varied from time to time and place to place in Gusiiland, depending on the balance between authoritarian leadership and divisive lineage tensions. Consequently, the line between homicide as a military operation and homicide as an offense to group morality was difficult to draw.<sup>68</sup>

The Abagusii believed that, morally speaking, protection from enemies (*Ababisa*) was the primary role of the administrative structures.<sup>69</sup> As one of the Abagusii proverbs puts it, “*Ensinyo manakobengwa Mbamura etabwati*,”<sup>70</sup> signifying that any side of a territorial boundary with constant problems lacks brave and strong men or warriors for defense. The lives of people, especially the weak, need absolute protection. It would be a pity if a community lacked actors who promote respect and the protection of human life. But these caretakers were very vigilant towards this responsibility. The warriors had to be very careful themselves on how they handled enemies. One proverb charges, “*Abamura enkebura bakobura bande orosie*” meaning warriors are equal to task just as other warriors are; thus, a warning against any useless boasting.<sup>71</sup>

The value systems were determined by a certain behavior which prioritized life. For example, after cattle raid the Abagusii “warriors” would want to recover them by all means. If the elders sensed that their sons could be killed themselves or destroy the life of the enemy, they called them back by proverbs such as the above.<sup>72</sup> Property could be acquired, but not human life. Conflicts over territory and similar issues were considered less weight than human life; an enemy’s life was owed the same respect as theirs. Thus, even in war, no one was allowed, absolutely, to kill an innocent human life. If the warriors got deep into enemy territory and found women and children and old and the sick people, who are actually parents, children and wives of the enemies, they were not permitted to harm them because they are innocent. Killing such people was traditionally abominable; it was against the principle of preservation of life through taboos.<sup>73</sup>

Placide Tempels’ presentation helps us to understand the Abagusii’s sense of the value of human life saying *The notion of duty*: The individual knows what his moral and legal obligations

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<sup>68</sup> (Levine, Levine, and Llyod 1966)

<sup>69</sup> (Levine, Levine, and Llyod 1966)

<sup>70</sup> (Mokaya 2012) ; (Abuga 1987)

<sup>71</sup> (Abuga 1987)

<sup>72</sup> (“Abagusii Proverb States: ‘Ira Nguru Nke Bobisa,’ Meaning Never Go Full Swing to Attack the Enemy; at Least Be Careful in Case the Enemy Attacks Back with the Same Force You Will Be Nowhere.,” n.d.)

<sup>73</sup> (Magesa 1998)

are and that they are to be honoured on pain of losing his vital force. He knows that to carry out his duty will enhance the quality of his being. As a member of the clan, the ‘*mntu*’ knows that by living in accordance with his vital rank in the clan, he can and should contribute to the maintenance and increase of the clan by the normal exercise of his favourable vital influence. He knows his clan duties. He knows, too, his duties towards other clans. However hostile in practice intertribal relations may be, Bantu know and say that it is forbidden to kill an outsider without a reason. Outsiders, in fact, are equally God’s people and their vital force has a right to be respected. The diminution and destruction of an outsider’s life involves a disturbance of the ontological order and will be visited upon him who disturbs it.<sup>74</sup>

We have said that killing could be allowed in war or in self-defense and for the protection of the common good of the lives of the weak, the widows, pregnant women, the handicapped, the sick, and the children. Although a pregnant woman was considered impure, she was at the same time sacred, for the embryo, fetus or “child” in the womb carried a religious importance. (Otenyo is reputed to be the first Kisii brave warrior and, perhaps, the last defender of the Abagusii from the injustice of the British colonial iron hand, who killed *Nyarigoti*, the nick-name for the British).<sup>75</sup> In some cases, however, there were also in-killing within the clan or community resulting, for example from conflict among brothers and so on. This was not entertained.

It can be said with certainty that homicide involving anyone outside the social unit here called the tribe was always part of legitimate warfare and homicide within the homestead was always a ‘criminal’ offense involving expiation via sacrifice and other rituals. Intermediate cases within the tribe but outside the homestead might be settled by the payment of compensation equivalent to the bride wealth for one wife and sometimes by sacrifice as well, the probability of settlement being dependent on the relations between the lineage segments of murderer and victim.<sup>76</sup> In the same vein, the witch could be killed for the sake of the common good, to preserve the lives of innocent people. It was believed that the witch, if in conflict with someone, could punish his adversaries by killing, through indirect means of sorcery, his or her children or close relatives. The elders were usually the community’s custodian of life, and whenever they sensed a character such as a witch, they always sounded a warning to such individuals indirectly in view of the respect and protection of the lives of others. If this person did not heed to the advice of the council of elders, they could allow strong young men (*abamura*) to keep night watch to try get hold of the witch in the act, in which case he or she could be killed by “mob justice.”

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<sup>74</sup> (Tempels 1959)

<sup>75</sup> (Liyong 1972)

<sup>76</sup> (Levine, Levine, and Llyod 1966)

Nobody, however, was allowed to go into the house of the suspect and kill them. It was only when a person was found in the act, following the failure to heed the warning given by the elders, that such a person was killed. The insistence of a witch to affect his or her adversary, which was the same thing as hurting the clan, was enough to demonstrate that his or her acts had lowered his or her dignity to that of a beast, and beasts can be killed. It was for this reason that strict scrutiny before marriage to rule out the possibility of witchcraft was actualized.<sup>77</sup>

#### 4.7 Abortion, Killing, Compensation and Reconciliation

The three terms – compensation, reconciliation and ritual – are distinct but they are closely linked. Compensation is focused on peace which is a consequence of reconciliation, often by means of some ritual to mark the end of a frozen relationship. In line with the principle of preservation of life, and by virtue of taboos, if one was proved or considered to be guilty of murder, one had to pay compensation. Of course, there was no *compensation* equivalent to human life, and so compensation for murder was only a gesture indicating that one has accepted guilt and is ready to ask for forgiveness to be integrated anew into the community. On the contrary, and for obvious reasons, there was no compensation in the case of self-defense. The ritual ceremony for murder or killing took its original meaning from the fact that shedding human blood required cleansing. According to Manono Ong'era in an oral interview, the cleansing took two categories:

First, if one was guilty of killing, the elders gathered around under the leadership of a community elder or chief and discussed the nature of the killing. After agreement, they chose a setting for reconciliation with God and the ancestors. The killer was obliged confessing publicly that he had killed someone. There could not be any community activities before the ceremony, because the killer was considered to have “hot” blood negatively affecting the community. As a preparation to the ritual, in case of killing in battle, the warriors had to go around the village and market places, accompanied by the ritual priest, who declared them heroes. Yet, they had to seek for mercy from and protection from the God of life and the ancestors. Sacrifice was offered, to “cool” down the “hot” blood.<sup>78</sup>

What was needed was reconciliation between the community and the ancestors, and the ancestors had to ask for God's mercy and forgiveness on behalf of the community. Reconciliation was a sacramental ritual, a symbol of reintegration into the community (*Obosonsorani*). Even in the case of self-defense a killer needed reconciliation with God and the ancestors to avoid the possibility of blood revenge. Reconciliation came as a result of consensus through dialogue between and among the families or clan communities. The blood of the murderer was “hot” and could contaminate the innocent blood of others and make it easy to kill. The whole community had,

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<sup>77</sup> (Levine, Levine, and Llyod 1966)

<sup>78</sup> (Ong'era 1986)

therefore, the responsibility to “cool” down such blood as soon as possible, in order to prevent that possibility.<sup>79</sup>

“Crisis rituals” focus on rectifying misfortunes in life, such as illness, barrenness, drought and war. Reconciliation is sacramental because it flows from the religious practitioner or diviner who clarifies the whys of the afflictions experienced.<sup>80</sup> Anyone who ignores the demands made on him or her to compensate, reconcile and strictly keep the ritual requirements that pertain to murder and killing was left to the will of God and the ancestors and, as already noted, could experience spontaneous abortion at conception, pre-mature child-birth, and difficulty in giving birth, infant mortality or inability to bear child at all in one’s life time.

## **5.0 Conclusion**

It is evident in the Scriptures that God is the author of human life, as seen from the very creation of the world. Together with its endowment with responsibility, humanity is given a special place above all other creatures. The responsibility it holds ranks humanity with the image of God through reason. This requires human obedience to the Natural Law in accordance with human dignity. For this reason, the Magisterium of the Church, right from the Apostolic times as well throughout the history of the Church, drawing from the Scriptures as source, have elucidated modalities to protect life. The Church believes that the human person is a reality from the moment of conception. In this regard, therefore, the documents of Vatican Council II, for instance, condemn both contraception and abortion as anti-life evils which are against the common good because they deny the innocent the right to life. The traditions of the Abagusii Bantu people, employed as a case study throughout this work, demonstrate the centrality and focus of her cultural values towards building a proper appreciation of the ultimate value of human life. The Abagusii believe that every human person has a fundamental right to life, no matter his or her condition, whether the handicapped or conceived out of sexual abuse, and so on. The protection of the weak is not an extension of charity but a right. The Abagusii tradition is only a microcosm of the macrocosm constituting other Bantu African ethnic groups. Modern educational systems, and, indeed, even the Church’s catechesis, should take the Abagusii traditional moral education into consideration for the promotion of human life. If this Abagusii tradition is maintained and joined with similar other traditions, the objective value of life will become a welcome antidote against attitudes in the modern world which are quickly tending to lose it.

## **6.0 Recommendations**

It is recommended that principles of the Abagusii tradition should be incorporated into modern educational systems as well as Church catechesis. The Abagusii tradition places great emphasis on the fundamental right to life and the imperative to protect the most vulnerable in society. It is believed that introducing these values in educational settings could enrich and complement existing curricula. Secondly, there’s a strong recommendation for preserving and

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<sup>79</sup> (Ong’era 1986)

<sup>80</sup> (Choge 2006)

promoting the Abagusii tradition, along with other similar cultural traditions. In the face of rising indifference towards the sanctity of life in the modern world, these traditions can act as potent antidotes. By maintaining these traditions and interweaving them with modern contexts, society can foster a deeper appreciation for the inherent value of human life. Lastly, the recommendations underscore the importance of upholding the teachings of the Magisterium and the documents of Vatican Council II. These religious teachings, which reiterate the sanctity of life from the moment of conception, should be recognized and disseminated widely. They serve as essential pillars of human dignity and the common good, asserting the importance of preserving life and championing the rights of the innocent.

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