JOURNAL OF PHILOSOPHY, POLICY AND STRATEGIC STUDIES
Volume 2, Number 1 (March, 2026)
ISSN: 1595-9457 (online); 3043-4211 (print)
Website: https://jppssuniuyo.com/ **Email:** jppssuniuyo@gmail.com
Received: March 02, 2026 **Accepted**: March 19, 2026 **Published**: March 31, 2026
Citation: Bode-Ogunlola, Opeyemi (2026). "A Utilitarian Defence of Assisted Reproductive Technologies within African Moral Philosophy." *Journal of Philosophy, Policy and Strategic Studies*, 2 (1): 125-133.

Article **Open Access**

A UTILITARIAN DEFENCE OF ASSISTED REPRODUCTIVE TECHNOLOGIES WITHIN AFRICAN MORAL PHILOSOPHY

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Abstract
Within African cultural frameworks, Assisted Reproductive Technologies (ART) are commonly perceived as morally objectionable, culturally undermining, or incompatible with communal values. This paper challenges that orthodoxy. Titled "A Utilitarian Defence of Assisted Reproductive Technologies within African Moral Philosophy," it argues that such rejection rests on a misreading of African moral thought. The central aim of this study is to demonstrate that a communally grounded rule-utilitarian framework within African moral philosophy justifies ART. Using normative and comparative philosophical analysis, the paper reconstructs traditional Yoruba and Igbo responses to infertility, including ritual mediation, socially constructed parenthood, and lineage-preserving marital arrangements, to show that reproductive intervention has long been morally acceptable. The analysis reveals a moral inconsistency in condemning biomedical mediation while accepting traditional assisted conception. It finds that ART promotes communal flourishing when regulated by dignity-centred norms. The paper concludes that ART is ethically justifiable and therefore advocates an ethical adaptation.

Keywords: Assisted Reproductive Technologies, Rule Utilitarianism, African Moral Philosophy, Infertility, Personhood, Social Parenthood.

Introduction

Across much of sub-Saharan Africa, infertility is not merely a biomedical diagnosis; it is a socio-moral disruption, and it is widely recognised as a major public health concern with devastating social consequences. Beyond the physical inability to conceive, infertility

frequently exposes women to stigma, verbal abuse, psychological trauma, and marital instability (Ola, 2012:331). In African societies, where personhood is relational and lineage continuity is central to identity, childlessness threatens not only individual aspirations but the structural integrity of family and kinship networks. The anxiety surrounding infertility must be understood within African metaphysical and social categories, as children are not simply private goods; they are carriers of lineage, ancestral continuity, inheritance rights, and communal memory. Thus, infertility produces communal dislocation, often resulting in what has been described as "social death" for the childless individual (Pearce, 1999:70). Against this background, Assisted Reproductive Technologies (ART), including in vitro fertilisation (IVF), intracytoplasmic sperm injection (ICSI), gamete donation, and surrogacy, present both promise and controversy. ART is now widely available in Nigeria, particularly within the private health sector. Yet despite its availability, ART remains ethically contested. Critics raise concerns regarding embryo loss, commodification, medical risks, and regulatory deficiencies (Ola, 2012: 331-333). From a bioethical standpoint, some scholars argue that the early embryo deserves full moral respect and that the high rate of embryonic loss in IVF procedures poses a grave ethical challenge (Aznar & Tudela, 2020: 1). Such objections are serious and cannot be dismissed lightly. However, much of the existing discourse assumes that African moral philosophy is inherently suspicious of technological mediation. ART is frequently portrayed as Western, artificial, or culturally disruptive. This assumption reflects a theoretical gap in the literature. Few studies have systematically examined whether African moral philosophy, when properly reconstructed, might in fact provide ethical resources for justifying ART.

This paper argues that African moral philosophy, particularly in its communitarian formulations, is structurally compatible with a rule-utilitarian ethical framework. While classical utilitarianism grounds morality in the maximisation of happiness, African moral systems prioritise the preservation of communal harmony, relational balance, and collective flourishing. These two traditions converge in their consequence-sensitive orientation: actions are evaluated by their impact on well-being and social stability. The central thesis of this paper is that when evaluated within the consequence-sensitive and harmony-oriented structure of African moral philosophy, Assisted Reproductive Technologies are ethically justifiable insofar as they promote communal flourishing, alleviate private suffering, and preserve lineage continuity. This defence does not endorse unregulated technological expansion; rather, it adopts a rule-utilitarian orientation where ART is morally defensible when governed by dignity-centred norms that prevent exploitation. Properly regulated, ART functions as a contemporary, technologically enhanced extension of historically accepted reproductive mediation practices. The following sections will clarify the utilitarian theoretical framework, reconstruct African communal ethics as consequence-sensitive, and analyse traditional reproductive interventions, from Yoruba priestly consultations to Igbo social surrogacy, as moral precedents for the legitimacy of modern ART.

Classical Utilitarianism

Utilitarianism, in its classical formulation, is a consequentialist moral theory which holds that the moral worth of an action is determined by its outcomes rather than its intrinsic nature. Most notably articulated by Jeremy Bentham and later refined by John Stuart Mill, utilitarianism is grounded in the "Greatest Happiness Principle," which asserts that actions are right insofar as they promote happiness and wrong insofar as they produce the reverse. Bentham's initial formulation was explicitly quantitative, proposing a "felicific calculus" where pleasure and pain are measurable phenomena, and the intensity, duration, and

extent of pleasure are weighed against suffering to determine the morally correct course of action. While retaining this consequentialist core, Mill introduced a qualitative refinement by distinguishing between "higher" and "lower" pleasures, arguing that intellectual and moral goods possess greater value than mere sensory satisfaction. This refinement is crucial for the present study, as it shifts the focus from crude hedonism to the long-term cultivation of human flourishing. Within this tradition, a critical distinction exists between act utilitarianism, which evaluates individual actions based on immediate utility, and rule utilitarianism, which evaluates moral rules based on whether their general adoption produces the greatest overall good. This paper aligns with rule utilitarianism, arguing that the moral permissibility of Assisted Reproductive Technologies (ART) does not rest on isolated cases but on whether permitting ART under structured ethical regulations increases aggregate communal well-being and reduces the profound suffering associated with involuntary childlessness (Nnachi et al., 2024: 83).

African Moral Philosophy as Consequence-Sensitive

African moral philosophy, particularly in its communitarian articulations, is fundamentally relational and harmony-oriented, where personhood is socially embedded and gradually realised through communal life. This is famously summarised by John Mbiti's ontological assertion that an individual exists only because the community exists, establishing a metaphysical priority of the collective over the atomistic self. Similarly, scholars like Ifeanyi Menkiti argue that personhood is a status achieved through social participation and moral excellence, rather than a quality automatically conferred at birth. While Kwame Gyekye refines this view through "moderate communitarianism," which preserves space for individual dignity, the overarching moral evaluation remains focused on whether an action sustains communal harmony and relational integrity. This structural orientation is inherently consequence-sensitive; while it may not employ a Western "felicific calculus," it evaluates conduct by its tangible impact on social cohesion and collective flourishing. In this context, moral failure is defined as the disruption of relational balance, and ethical excellence consists of sustaining solidarity and lineage continuity (Akande, 2013: 140). Consequently, harmful outcomes such as social fragmentation, dishonour, and the "social death" of the childless carry immense moral weight in African thought (Pearce, 1999: 70). If a practice demonstrably alleviates these harms and restores communal equilibrium, it finds strong justificatory grounds within the African moral landscape.

Toward a Communal Rule-Utilitarian Synthesis

A formal synthesis between classical utilitarianism and African communitarian ethics provides a robust framework for evaluating reproductive technologies. Both systems are structurally consequence-sensitive, evaluating actions by their effects on aggregate well-being and communal harmony, respectively. Under this synthesised framework, the moral permissibility of ART depends on whether its regulated practice enhances communal flourishing by reducing the stigma and marital instability that infertility generates. When ART is utilised to stabilise marriages, protect women from verbal and psychological abuse, and preserve lineage continuity, it functions as a moral good that maximises communal utility. This synthesis avoids the extremes of rigid traditionalism that is hostile to technology and an uncritical importation of Western individualistic autonomy. Instead, it positions "communal flourishing" as the primary metric for utility. Within this framework, ART is justified as a technological mediation that preserves the "vital force" of the family and community. Therefore, the central ethical inquiry is whether the regulated availability of ART produces

greater communal well-being than its prohibition, particularly when one considers the significant disutility caused by the socio-moral crisis of childlessness.

Infertility as Socio-Moral Crisis in African Contexts

The inability to bear children, in African societies, disrupts not only personal aspirations but also lineage continuity, ancestral obligations, marital stability, and communal identity. Ethnographic and sociological studies of Yoruba communities reveal that fertility is deeply intertwined with social status, marital legitimacy, and existential fulfilment. In the work of Jegede and Fayemiwo (2010), infertility among the Yoruba is shown to carry significant cultural stigma, particularly for women. Childbearing is perceived as a central validation of womanhood, and failure to conceive may result in diminished social recognition, marital instability, and psychological distress (Jegede & Fayemiwo, 2010:118). This stigma is not evenly distributed across genders. Although infertility may be medically attributable to male or female factors, women disproportionately bear the brunt of social blame. As documented in the study "She will not be listened to in public," infertile women among the Yoruba are frequently silenced in communal deliberations and excluded from certain social roles due to their childlessness (Pearce, 1999: 72). Such exclusion demonstrates that fertility functions as a gateway to full social participation. When reproductive capacity determines one's voice and visibility within the community, infertility becomes a condition of social marginalisation rather than mere biological deficiency. Beyond gendered stigma, infertility also generates marital instability. Jegede and Fayemiwo report that cultural responses to infertility often include polygamy, extramarital procreation, or intense familial pressure to seek alternative reproductive remedies (2010:121). These practices are historically justified by the overriding imperative of lineage preservation, reflecting a moral logic that is unmistakably consequence-oriented.

The threat posed by infertility extends beyond marital and gender dynamics into the realm of ancestral cosmology. In many African metaphysical systems, children are regarded as the vital link between the living, the dead, and the unborn. Lineage continuity ensures that ancestors are remembered and ritually sustained. The absence of descendants disrupts this metaphysical chain. Mbiti notes that procreation is central to African conceptions of immortality, as one lives on through descendants (Mbiti, 1969:141). Infertility, therefore, may be construed as a form of symbolic extinction, making the moral anxiety it generates both social and metaphysical. Psychologically, this produces shame, loss of self-esteem, and internalised stigma. Couples undergoing infertility experience significant emotional distress, including feelings of inadequacy and social isolation (Jegede & Fayemiwo, 2010:123).

Moral Precedents for Traditional Reproductive Interventions

Yoruba Ritual Mediation of Fertility: Traditional African societies did not respond to infertility with passive resignation(Akande, 2013: 142). Historically, fertility-seeking behaviour has involved consultations with traditional healers and priests of various deities, such as Obatala, Yemoja, or Osun. Within this worldview, infertility is rarely reduced to physiological malfunction; it may be attributed to spiritual imbalance, divine withholding, ancestral displeasure, or destiny obstruction. Couples have offered elaborate sacrifices, used herbal concoctions, and engaged in rituals, such as a woman backing a baby goat while walking through a market to invite spiritual reproductive favour. These practices were legitimate, cultural interventions aimed at restoring reproductive harmony. If it is morally permissible to seek children through these traditional mediations and rituals, then a clear moral parity exists for the acceptance of modern medical interventions like IVF and

surrogacy. Rather than being a "Western intrusion," Assisted Reproductive Technologies (ART) represent a contemporary evolution of this established moral logic of seeking external mediation for childbearing. If conception mediated through spiritual technologies and herbal concoctions was culturally legitimate, then the mere fact that biomedical ART involves scientific mediation does not automatically render it morally suspect. The difference between ritual mediation and medical mediation is epistemological, rooted in differing understandings of causation, not moral in structure. In both cases, the underlying objective is to overcome infertility and secure offspring for the continuity of the family. The Yoruba moral framework did not condemn intervention (Jegede & Fayemiwo, 2010:118).

Igbo Woman-to-Woman Marriage as Social Surrogacy

Beyond the Yoruba context, other African societies provide evidence that biological reproduction has historically been socially mediated, with the Igbo institution of "woman-to-woman" marriage serving as a striking example. In situations where a woman could not bear children, she was traditionally permitted to "marry a wife" for her husband. The children born through this new woman were socially and legally attributed to the first wife, ensuring that the lineage remained intact despite biological infertility (Nnachi et al., 2024:85). This arrangement demonstrates that genetic maternity was not the sole determinant of parenthood in traditional African ethics; social recognition and communal attribution were morally decisive. This structure bears a notable resemblance to modern gestational surrogacy and egg donation, where the social mother and the gestational mother are distinct individuals. This reveals that African moral systems historically prioritised lineage survival over rigid biological essentialism. If the community could recognise children born through such socially mediated arrangements as legitimate heirs, then the categorical rejection of ART on grounds of "unnaturalness" is inconsistent with historical precedent. The moral criterion was functional: did the practice secure lineage continuity and communal stability? In traditional Igbo culture, the answer was affirmative, making such "social surrogacy" an institutionalised solution to infertility (Agbo, 2014:87).

Extramarital Procreation and the Transparency of ART

In certain contexts, infertility historically led to the practice of discreet extramarital procreation. It was not uncommon in many African cultures for a husband to feel it necessary to have a private affair or marry a second wife to bear children when his (first) wife could not conceive, ensuring he would have his "own" children to carry on his name. While such practices were often handled privately to avoid public scandal, they were frequently tolerated under the overriding imperative of lineage preservation. However, from a utilitarian standpoint, modern Assisted Reproductive Technologies (ART) offer a morally superior alternative to these traditional "private affairs." While extramarital procreation often involves deception, potential betrayal, and social instability, ART is a transparent, medicalised, and agreed-upon procedure within marriage. It preserves the dignity of both partners and the stability of the family unit while achieving the same utilitarian goal of offspring. This historical tolerance for alternative procreative arrangements shows that the social good of offspring could override strict marital exclusivity when necessary. If traditional societies permitted such discreet arrangements to address the crisis of childlessness, then reproductive intervention cannot be intrinsically immoral within African moral thought(Pearce, 1999:70).

Across these examples, a consistent moral structure emerges where infertility was recognised as a serious socio-moral problem, and intervention was not only permitted but

expected. In this framework, legitimacy is derived from preserving lineage and communal stability. These precedents demonstrate that assisted reproduction, broadly construed, is not foreign to the African moral imagination. The tools have changed, from ritual sacrifices and priestly consultations to IVF and surrogacy, but the moral aim of sustaining the community remains identical. The invocation of "tradition" as a basis for rejecting ART, therefore, requires scrutiny. If tradition historically accommodated mediated reproduction through rituals or social arrangements like Igbo wife-marriages for the sake of communal flourishing, then contemporary biomedical interventions should be evaluated under the same normative criteria. The relevant inquiry is whether ART preserves dignity, protects lineage continuity, and sustains harmony. When framed this way, ARTs are a contemporary extension of historically accepted reproductive mediation practices.

Utilitarian Defence within African Communal Ethics

The moral permissibility of Assisted Reproductive Technologies (ART) within African contexts does not rest solely on historical precedent; it rests more fundamentally on whether their regulated practice enhances communal flourishing and reduces social harm. When examined through a communally grounded rule-utilitarian framework, ART emerges as ethically defensible because it mitigates widespread suffering and restores relational equilibrium. Classical utilitarianism, as articulated by John Stuart Mill, evaluates actions by their tendency to promote overall happiness, but the present defence draws from a specific "communal rule-utilitarianism." In this view, moral justification depends on whether permitting a practice under structured norms produces better aggregate outcomes for the community than prohibiting it. When this framework is integrated with the relational account of personhood articulated by scholars like Ifeanyi Menkiti, the evaluative lens shifts from individual autonomy to communal harmony. The central question is whether regulated access to ART enhances or undermines the "vital force" and well-being of the community (Akande, 2013:142). This perspective aligns with the utilitarian posture observed in contemporary African philosophical discourse, which holds that the amount of good brought into being must serve the greatest number within the kinship structure (Nnachi, Nwinya, & Ogoko, 2024:83). One of the most profound consequences of infertility in African contexts is the disproportionate stigma placed upon women. Tola Olu Pearce (1999) famously noted that a childless woman "will not be listened to in public," highlighting how infertility leads to a form of "social death" where the woman is excluded from decision-making and communal recognition. Under a communitarian moral framework, such exclusion constitutes a significant relational harm. If ART enables women previously labelled "barren" to bear children, the resulting reduction in stigma produces not merely private relief but a necessary communal recalibration. Marriages stabilise, women regain their social voices, and relational tensions are diffused. From a rule-utilitarian standpoint, a social rule permitting regulated ART generates greater aggregate well-being than one that prohibits it.

Furthermore, ART serves as a tool for the stabilisation of marital structures. Infertility frequently precipitates marital instability, often leading to polygyny, extramarital procreation, or complete family fragmentation (Jegede & Fayemiwo, 2010:120). While such alternatives were historically tolerated, they frequently introduce secondary tensions such as inheritance disputes, jealousy between co-wives, and intense emotional strain. ART can prevent these destabilising alternatives by allowing couples to pursue conception within the existing marital framework, thereby preserving conjugal unity while achieving the culturally mandated goal of offspring. Under rule-utilitarian analysis, the institutional availability of ART reduces the likelihood of these socially disruptive strategies. In a harmony-oriented

moral system, preventing household cohesion from breaking down carries significant moral weight, as the family remains the primary unit of communal stability (Ola, 2012:332). Lineage continuity is the cornerstone of African communal ontology. Procreation ensures existential continuity through descendants; without offspring, the "vital link" between the ancestors and the future is severed. ART directly addresses this metaphysical rupture. By enabling childbearing where natural conception has failed, it sustains inheritance lines and ancestral remembrance. Under communitarian moral reasoning, practices that preserve lineage are prima facie valuable because they protect the continuity of the social organism. If infertility threatens communal equilibrium and ART restores it, the utilitarian calculus favours the technology. This is especially relevant in societies where the demand to sustain the lineage is a primary societal expectation. Thus, the aggregate consequences of ART include restored dignity, sustained kinship continuity, and the preservation of the ancestral line.

When the harms of untreated infertility are weighed against the regulated benefits of ART, the moral balance tilts heavily toward permissibility. Prohibition produces continued stigma, marital fragmentation, and lineage anxiety, whereas regulated permission produces restored dignity and enhanced communal cohesion. African philosophical traditions possess the internal rationality to engage with modern challenges without abandoning their core identity. Therefore, ART, when governed by communal norms that emphasise character (*Omolúàbí*) and respect for persons, advances communal flourishing more effectively than its categorical rejection. The ethical value of ART lies in its capacity to restore individuals to their rightful place within the moral community, ensuring that the "vital force" of the lineage continues to flow through the generations.

Ethical Limits and Safeguards: A Dignity-Centred Communal Regulation of ART

The defence of Assisted Reproductive Technologies (ART) within a communally grounded rule-utilitarian framework does not entail unconditional endorsement; rather, it demands a rigorous evaluation of structural risks. While regulated ART can promote communal flourishing, unregulated applications may generate harms that outweigh their benefits. Consequently, moral justification is contingent upon institutional safeguards consistent with African dignity-centred norms. Moderate communitarianism affirms both communal goods and intrinsic human dignity, ensuring that individuals are never reduced to mere instruments for communal ends. To maintain this balance, regulation must address three primary risks: exploitation, commodification, and reproductive consumerism. Exploitation is a significant concern, particularly in surrogacy, where economic inequality may pressure vulnerable women into arrangements that compromise their autonomy. Within an African moral framework informed by Omolúàbí ethics—emphasising character and respect—such exploitation constitutes a moral failure that undermines communal harmony. From a rule-utilitarian perspective, systematic exploitation breeds social distrust, necessitating safeguards such as voluntary consent, medical protection, and transparent oversight. Similarly, ART must not transform children into commodities or "designer" products. Historically, systems like Igbo woman-to-woman marriage integrated children into lineages without commercialisation, viewing them as communal gifts rather than transactional objects. If ART becomes market-driven, it violates these dignity-centred norms and risks long-term cultural harm. Finally, the defence of ART rejects radical individualism in favour of relational responsibility. Personhood is situated within social recognition; therefore, ART must remain embedded in structures that affirm communal obligations rather than private entitlement. This dignity-sensitive rule-utilitarianism justifies ART only when it restores

harmony and alleviates suffering without degrading persons. By implementing legal oversight and cultural integration, ART functions not as a threat to tradition but as a restorative tool that preserves lineage and sustains social equilibrium across generations.

Conclusion

This paper has challenged the prevailing assumption that Assisted Reproductive Technologies (ART) are inherently incompatible with African moral philosophy. By establishing infertility as a profound socio-moral crisis that threatens relational harmony and lineage continuity, the analysis demonstrates that ART serves the same restorative goals as traditional interventions like ritual mediation and social parenthood. The central contribution of this study is the synthesis of African communal ethics with rule-utilitarian reasoning, forming a consequence-sensitive framework that justifies ART based on its ability to alleviate the "social death" of childlessness and enhance communal flourishing. Directly addressing contemporary objections, this paper argues that ART is no more "unnatural" than traditional herbal or ritual mediation and that its "Western origin" is morally incidental to its local utility.

Furthermore, while risks of commodification and marital disruption are serious, they are not inherent to the technology but are symptoms of regulatory failure. When properly embedded within Omolúàbí ideals of character and moderate communitarian safeguards, ART functions as a therapeutic necessity rather than a market commodity. By providing a pathway to parenthood within marital bonds, ART may actually stabilize kinship networks more effectively than the socially disruptive alternatives often triggered by untreated infertility. Ultimately, the ethical integration of ART represents a principled adaptation of African tradition rather than a concession to liberal individualism. By prioritising human dignity and the aggregate good of the community, a dignity-centred regulatory model ensures that technology serves to protect relational bonds. Far from being a threat to heritage, ART emerges as a modern instrument of lineage preservation and communal restoration. It reaffirms the vitality of African moral philosophy, proving its capacity to engage biomedical innovation while remaining rooted in the timeless aspirations of generational continuity and social equilibrium.

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