

**A critique of Peter Singer’s utilitarian perspective on abortion:  
An African (Igbo) jurisprudence approach****Simeon C. Dimonye,<sup>1</sup> Joshua N. Ayozie,<sup>2</sup> & Nmesoma M. Okeke<sup>3</sup>****Abstract**

This paper critiques Peter Singer’s utilitarian defense of abortion, which hinges on the fetus’s lack of preference capacity, through the lens of African (Igbo) jurisprudence and ethics. Singer’s argument, grounded in self-autonomy and individual freedom, is examined for its cross-cultural applicability and ethical robustness. Engaging with this objective, the study employs philosophical analysis and critical hermeneutics. The study finds Singer’s position deficient in universal applicability, particularly lacking resonance with Igbo (African) legal and ethical traditions. Furthermore, his framework is deemed inadequate for informing inclusive public health policies. This work broadens bioethical discourse by incorporating African legal and ethical perspectives, emphasizing the necessity of cultural integration and social harmony in ethical decision-making. Additionally, it contributes to environmental ethics, supporting Singer’s climate change insights while advocating for a more integrative discourse connecting abortion ethics and environmental concerns. The paper underscores the importance of culturally sensitive bioethics for contextually relevant public health policies.

**Keywords:** abortion, African (Igbo) jurisprudence, human person, moral equality, Peter Singer, public health policies, utilitarianism.

**Introduction**

How does Peter Singer’s utilitarian approach to abortion, based on his conception of personhood, challenge African (Igbo) jurisprudence and values, and what are the implications for equitable public health policy? The paper approaches this question from the framework of Igbo legal and ethical traditions. Specifically, it uses three sources of law in Igbo jurisprudence to establish the nature and character of personhood in Igbo thought, and to critique Peter Singer’s position on abortion. The three sources of law include: (a) *Mmuo na Mmadu* (The Hierarchy of Beings and Personhood among the Igbo), (b) *Odinala na Omenala* (The Traditional Customs and Practices of the People), and (c) *Ako na Uche* (The Dictates of Conscience and Reason). In light of these, the authors contend that Singer’s understanding of the person and moral status is reductionist and inadequate for establishing just and inclusive bioethics. In general, the paper presents an African (Igbo) legal-philosophical perspective on a bioethical issue typically examined through a European-American lens, offering a direct critique of Peter Singer’s utilitarian bioethics and expanding the scope of the global discourse. This paper is an African (Igbo) dialogue with Peter Singer on abortion.

The ethics of abortion remain deeply contested among philosophers across ideological spectrums. Pro-choice advocates emphasize a woman’s bodily autonomy and her right to make decisions concerning her body, while pro-life proponents assert the fetus’s right to life from conception (Jali, 2001; Onyia, 2023). The utilitarian thinkers, such as Peter Singer, evaluate abortion based on its consequences for individuals and society. Additionally, cultural and legal perspectives contribute further complexity to the debate, as reflected in this critique. Medical advancements and evolving societal values have historically influenced abortion laws. Contemporary discourse centers on competing priorities, including the pregnant individual’s

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health and autonomy, the moral status and personhood of the fetus, cultural norms, and legal frameworks that regard reproductive rights as fundamental human rights. Cultural factors significantly shape abortion debates by informing societal norms related to family, gender roles, and religion. Notably, cultural narratives on motherhood and women's societal roles affect perspectives, with some societies valorizing motherhood and others emphasizing women's independence and self-determination (Okwara, Obiagwu, Obasi, Udogu, & Nwosu, 2024).

Peter Singer is influenced by the utilitarianism of Jeremy Bentham and J. S. Mill, the meta-ethics of R. M. Hare, the moral empiricism of David Hume, and the Phenomenology of G. W. F. Hegel. He belongs to the utilitarian camp on the issue of abortion arguing that the moral status and moral agency of the fetus determine the morality of abortion, in the light of its consequences and implications for both the individual and the society. For him, the preborn lack rationality, consciousness and do not demonstrate capacity for preferences (Singer, 2011a, p. 73). As such, he supports the mother's 'autonomous right' to terminate her pregnancy. This position rests on a highly subjective and utilitarian understanding of the nature of the preborn child, and vehemently neglects other possible considerations. Thus, Singer's argument clashes with other prominent views on abortion that provide broad and objective perspectives that consider the fetus, human society, the ecosystem and the cosmic world of human existence when determining the morality of abortion. Especially from perspectives rooted in deontology or virtue ethics, Singer's bioethics has sparked intense debate. Therefore, this paper critiques Singer's utilitarian perspectives on abortion using African (Igbo) jurisprudence approach.

In their examination of Peter Singer's utilitarian ethics of abortion, the authors identify significant aspects overlooked by Singer but emphasized in African (Igbo) jurisprudence, offering a more comprehensive moral framework. The Igbo culture robustly protects the unborn through observance of relevant taboos; for example, the placenta is revered after birth and subject to elaborate rituals, reflecting its status as a 'living' twin to the newborn (Musana, 2018). Molefe (2020) emphasizes that African metaphysical views generally regard abortion as morally impermissible. Within the African-Igbo conception, the preborn child is considered a person from early development, intimately connected to both the living and ancestral community, embraced by communal love despite lacking independent life (Bujo, 2001, pp. 88–89). Consequently, Singer's utilitarian and liberal stance on abortion conflicts with African moral understandings of personhood and the preborn's moral status. The study further observes that non-utilitarians face difficulty in comprehending moral decisions that disregard other fundamental values. African traditions regard human life as a paramount and sacred value with corresponding sanctions for its violation.

This study critiques Singer's denial of the inherent sanctity and equal value of all human life. It argues that moral obligations must arise from the societal values shaping individuals' daily conduct, not merely from a utilitarian perspective. This principle underpins African (Igbo) ethics and jurisprudence, where moral duties are binding and non-optional. Drawing on African (Igbo) cultural and legal perspectives, the authors challenge Singer's position through philosophical analysis and critical hermeneutics. The method combines philosophical analysis with critical hermeneutics to clarify Singer's ethical arguments and situate the abortion debate within Igbo cultural contexts, fostering cross-cultural insight and reflexivity. It values oral traditions and written sources equally as authentic sources for African scholarship. Using diverse sources—books, journals, newspapers, and oral traditions—the authors deconstruct Singer's arguments, illustrating how cultural conceptions of life, personhood, and morality shape abortion debates differently in Africa and the West.

Regarding the methodology of the paper, this introductory section leads directly into a concise exposition of Peter Singer's utilitarian ethics on abortion, emphasizing key points for subsequent critical engagement. It then presents the three primary sources of law in African (Igbo) jurisprudence, outlining the cultural and ethical principles underpinning this legal

tradition. This framework facilitates a detailed critique of Singer's position from an Igbo perspective. Furthermore, the study assesses the cross-cultural implications of Singer's views, elucidates his understanding of utilitarianism, and explores the broader bioethical relevance to climate change on the global stage. The paper concludes with reflections that contribute significantly to abortion morality debates by integrating African cultural insights.

### **A brief exposition of Peter Singer's utilitarian perspective on abortion**

In Peter Singer's view, abortion is justified by the fact that the fetus has not yet developed some of the functional capacities that define a person. According to him, the lack of this capacity denies the fetus the right to life especially before the first twenty weeks after conception. He maintains that the characteristics that qualify one as a person include "rationality, autonomy, and self-consciousness, ... [as well as] the capacity to have preferences about one's own future" (Singer, 2011a, p. 73). For him, self-consciousness justifies moral status in a sentient being who demonstrates the capacity to hold preferences, for "a being without self-awareness cannot have a preference about continuing to live (Singer, 2011a, p. 176). Fetuses lack the qualities of personhood that determine a person's moral status, although Singer is aware that they may one day attain them. Hence, for him, "being a living human organism is insufficient for a right to life" (Singer, 2011a, p. 75). He insists that "the wrongness of killing depends on the person's capacity for preferences and self-awareness" (Singer, 2011a, pp. 74–76). Although nociception—unconscious physiological processing of noxious stimuli—may already exist at an early stage, sentience, defined as subjective experience of pain or pleasure, requires a more mature brain, with consciousness, or self-awareness, emerging later (Singer, 2011a, pp. 73–76, 151, 176).

Singer believes that beyond the first twenty weeks of pregnancy, we must weigh competing interests in determining the moral status of the fetus (i.e. deciding whether or not it is acceptable to kill it). Peter Singer posits that the cerebral cortex, which he associates with the emergence of consciousness, begins to function around 18 to 20 weeks of gestation, thereby rendering abortion prior to this developmental stage as "not contrary to any preferences a fetus can have" (Singer, 2011a, p. 151). He acknowledges that beyond this developmental threshold, the potential for sentience necessitates a careful balancing of the conflicting interests involved, while emphasizing that "the interests of the mother, a undoubtedly conscious and preference-having being, will almost always outweigh the fetus's interest in continued life" (Singer, 2011a, p. 153). Because the early fetus lacks these complex capacities, Singer concludes that early abortion is morally permissible. However, this position remains contentious when the fetus is regarded not merely as a potential human but as a developing member of the human community possessing a unique future.

Singer's abortion stance seems amenable only to utilitarian considerations beyond which it collapses into its own shadow. His claims regarding personhood, equality, autonomy, and individual interests are highly disputable. For example, he explicitly states that the moral status of the fetus is significantly lower than that of a sentient adult or even a self-aware infant (Singer, 1994, p. 110). In what follows, we shall explore the various criticisms against Singer's utilitarian perspective on abortion from the background of African (Igbo) jurisprudence. But before this is done, it is pertinent to outline Igbo (African) jurisprudence's theoretical foundations.

### **The three fundamental sources of law in Igbo (African) jurisprudence**

In Igbo (African) jurisprudence, laws are primarily derived from and grounded on the ideas of *Mmuo na Mmadu*: the hierarchy of beings and personhood among the Igbo; *Odinala na Omenala*: the traditional customs and practices of the people; *Ako na Uche*: the dictates of conscience and reason, all of which encompass the people's shared beliefs, values, and ways of

life. These are often communicated through Igbo proverbs, folktales, songs, plays, rituals, and other forms of cultural expression (Nwobodo, 2024).

It is pertinent to clarify, first, key conceptual and socio-theoretical foundations of these Igbo terms. In African philosophy, reality is viewed through the lens of *holism*, conceived as an intricate web of interactions among spiritual, material, physical, and social realms (Cordeiro-Rodrigues & Chimakonam, 2022). The Igbo share this worldview with other Africans but exhibit distinct political, socio-cultural, and ethical characteristics. Davidson (1969, p. 95) observes that “The Igbo are markedly success oriented, egalitarian and individualistic.” Igbo society is traditionally decentralized and republican, with an emphasis on deities, oracles, ancestors, human dignity, and social cohesion (Anene, 1977, p. 310; Afigbo, 1981, p. 340). The Igbo are predominantly found in southeastern Nigeria and parts of Cameroon, Gabon, and Equatorial Guinea. Igbo cosmology underpins concepts such as *Mmuo na Mmadu*, *Odinala na Omenala*, and *Ako na Uche*. Uchendu (1965, p. 20) asserts that Igbo cosmology “contains a prescription for the societal moral ethos” in a world inhabited by visible and invisible forces – *Mmuo na Mmadu*. Nwala (1987, p. 54) defines *Odinala na Omenala* as mechanisms regulating the “cosmic and social order.” Achebe (1964, p. 189) depicts *Ako na Uche* in his contextual remark that “a man must dance the dance prevalent in his time”. *Ako na Uche* signifies dynamic intelligence, discernment, and adaptability to unforeseen changes (Nwoga, 1984, p. 2). For Animalu (1990, p. 47), it is “one of the attributes of our ancestors”. These intertwined concepts articulate Igbo philosophical insights into the unity of spiritual and physical realities, the centrality of wisdom, and the intrinsic integration of religion and culture in Igbo identity. Now, let us examine them in turn.

(a) *Mmuo na Mmadu: The hierarchy of beings and personhood among the Igbo*

The Igbo world is composed of two realms, the visible and the invisible. Deities represent the invisible. The visible is typified by humans. Every entity is inserted into a certain ontological status relative to all other members of its community of beings. This is a status of reciprocal obligations and benefits an entity incurs as a member of the community of beings. It is not a personal status, and does not imply rank. It is a relationship status. An entity’s behavior is determined by its status, which is not permanent, but changes with time, age and experience (Elias, 1956). The two realms are collectively referred to as *Okike* (creation or universe) with *Chukwu/Chineke* (Immanent God) at the top of the hierarchy. Beneath God are *Umu mmuo* (deities or angels or God’s messengers); then, we have *Ndi Ichie* (the ancestors or the living-dead), *Ndi Mbu na Ndi Egede* (the elders and the aged), *Anumanu* (the animals), and *Akuku na Osis* (trees and plants). The elements earth, water, fire, and wind are considered *Ihe Uwa Okputorokpu* (i.e. ancient forms of deities). Infants and preborn babies are seen as *Ndi Uwa Ohuru* (i.e. an emerging generation) crisscrossing the two realms. Igbo ontology and cosmology claim that creation is a perpetual cycle from the invisible realm to the visible realm and back again (Nwala, 1987). As such, Igbo moral and legal norms are informed by the imperative to preserve a sacred harmony that unites both realms. Now, Igbo jurisprudence derives and situates laws on the principle of *Mmuo na Mmadu* in order to make them comprehensive and encompassing. In Igbo jurisprudence, abortion is frowned at because it ruptures the natural and perpetual cycle involving the realms of the invisible and the visible.

(b) *Odinala na Omenala: The traditional customs and practices of the people*

The Igbo revere the historical and oral traditions through which their culture is transmitted from generation to generation (Okogeri, 2006). As mentioned above, earth (*ala*) together with the other elements is a form of deity. *Odinala* (traditional custom) connotes the natural laws derived from the timeless earth goddess (*ala*) as a cosmic force. *Omenala* (traditional practice) refers to the laws that evolve over time according to people’s interpretations of and pragmatic

adjustment to *odinala* in the context of their socio-historical evolution. Thus, Okafor (2001) notes that Igbo laws balance divine ordinances with human pragmatism. Similarly, justice must be clearly aligned with spiritual and communal norms (Afigbo, 1972). *Odinala na omenala* (i.e. the traditional customs and practices of the people) are the constituent parts of Igbo customary law. Igbo customary law functions as a socio-cosmological institution; it expresses, at once, both divine (ancestral) will, and communal wisdom (Okafor, 1992). Igbo jurisprudence derives and situates laws on the principle of *Odinala na Omenala* in order to render them both authoritative and communal. In Igbo jurisprudence, abortion is frowned at because it usually originates from the secret, shameful and selfish contrivances of the perpetrators, lacking every divine fiat and human approbation (Onyia, 2023).

(c) *Ako na Uche: The dictates of conscience and reason*

This principle valorizes the introspective and socio-ethical dimensions of law in Igbo jurisprudence. The principle of *ako-na-uche* is both a procedural requirement and a methodological/evaluative tool for justifying laws in Igbo jurisprudence. It is applicable not only to Igbo jurisprudence, but also to diverse circumstances and contexts. *Ako-na-uche* means approaching situations with the ancient wisdom of Igbo ancestors, using tact, diplomacy, and respect for others (Nwangwu, 2018). In Igbo jurisprudence, it is believed that in a case where customs are absent, silent or unclear, a moral agent is never left without a guiding light as to what is right or evil; *ako-na-uche* always comes to the rescue. This is especially when we understand that, for the Igbo, every human being is deemed to have *Chi* – the internal principle of personal destiny and ethical direction (Aguinam, 2021, pp. 35–38). It bestows upon laws the virtues of goodness and truth. In Igbo jurisprudence, abortion is frowned at because it involves severing the individual from the collective, the self from the body. The Igbo revere childbirth and have established four customs for celebrating it: *omugwo*, *ibe-ugwu*, *igu-aha*, and *ifu-eze* (Onebunne, 2019, p. 80). In light of this, *ako-na-uche* reveals to an Igbo moral agent the ethical horror of abortion.

**A critique of Singer’s position on abortion from the lens of African (Igbo) jurisprudence**

We now turn to a comprehensive critique of Peter Singer’s stance on abortion through the lens of Igbo jurisprudence. Singer’s *Practical Ethics* does not mention ‘equity.’ While he rightly insists bioethical justice requires equality, his focus is largely theoretical. Singer (2011a, p. 21) states that “the principle of equal consideration of interests is not the principle that all beings are to be treated equally, but that the like interests of all beings are to be given equal weight.” Yet, he overlooks the impracticality of separating interests from individuals. His definition requires disregarding species, race, sex, ability, and worth when evaluating moral interests. However, the impossibility of ignoring profound disparities in development and relational differences among individuals is too glaring. Equity better addresses these practical dimensions of bioethical justice. Politics as ethics writ large is revealed in ethics’ dual orientations: teleology, assessing actions by consequences, and deontology, focusing on moral value regardless of outcomes. Teleology aligns with contractarianism (human-made law), deontology with natural law (Guareschi, 2017, p. 322). Singer’s bioethics is mainly teleological, while Igbo jurisprudence follows a naturalistic, holistic model aiming for harmony and equity (Onebunne, 2024).

Singer’s equality introduces impartiality, but risk arises when this principle, though valid, becomes unsound. Accordingly, he accepts affirmative action as “not contrary to any sound principle of equality” (2011a, p. 51), implicitly endorsing equity. Where equal consideration conflicts with intuitive distinctions, equity offers flexibility. For example, prioritizing close relatives over strangers for urgent medical treatment. Strict equal consideration may prioritize parts over the whole, limiting justice. The authors argue that by prioritizing the whole over the

part, the interests of all lives are better served where each fits equitably and naturally into the system according to their unique backgrounds. Therefore, equality as equal consideration of interests must always be counterbalanced—and indeed enhanced—by equity.

For Singer, a person is “a being with certain characteristics” (Singer, 1994, p. 180) that confer moral standing. These include sentience—the capacity to experience pleasure and pain (Singer, 2011a, p. 79), the ability to interact with others (Singer, 2011b, p. 28), and having preferences about continuing life (Singer, 2011a, p. 84). The defining traits of personhood are “rationality, autonomy, and self-consciousness” (Singer, 2011a, p. 182), which determine moral status. Singer argues that being a member of *Homo sapiens* specie alone does not suffice for personhood. In Igbo conception of personhood, the contrary is the case. Every human being is a person (*Mmadu*) in Igbo thought. The term *Mmadu* derives from *Mma* (spirit) and *di* (living), meaning “living spirit,” signifying that a human being embodies both spiritual and material realities, including the preborn and infants (Dimonye, 2020).

Singer’s view raises ‘the problem of uncertainty’ in defining personhood. The problem of uncertainty here concerns how to distinguish “normal human beings” (Singer, 2011a, p. 182) distinctly from the rest of human beings. While the animal kingdom is conventionally divided into human and non-human animals, Singer’s proposition of further dividing human animals into human persons and human non-persons appears overly simplistic. As a result, Singer’s concept of personhood is charged with the straw man. We term this *personism*, in line with the terrible evils of racism, sexism, and speciesism. Humanity is a collective whole, resisting such bifurcation, which risks subjecting human society to uncertainty and mechanization akin to what obtains in quantum physics.

Moreover, advancements in cognitive science, such as robotics and trans-humanism, may soon challenge Singer’s criteria for personhood based on rationality, autonomy, and self-consciousness. This would result in profound societal impacts potentially surpassing climate change. It is safer, and more consistent with the Igbo conception of personhood, to correlate personhood with the immutable, naturalistic status of membership in the *Homo sapiens* species rather than rely on the more precarious standards of rationality, autonomy, and self-consciousness. As White (2013, p. 74) affirms, “Personhood is an essential characteristic of the human species and is not a conditional state dependent upon circumstance, perception, cognition, or societal dictum.”

Singer’s defense of abortion neglects the broader socio-political and cultural factors that shape life’s meaning. From the African (Igbo) jurisprudential perspective, life’s meaning is rooted in African metaphysics, which embraces a harmonious unity of material and spiritual realities (Attoe, 2025). This worldview affirms the mutual coexistence of all life forms and underpins five theories of life’s meaning: the vital force theory (concerning the existence of vital power/soul in every object of nature giving room for a hierarchy of being according to the intensity and form of expression of the vital force); the communal normative theory (focusing on the idea that every reality is a missing link of an intricately integrated whole); the love theory (based on seeking the wellbeing and welfare of all unconditionally); the cluster theory (relating to the claim especially among the Igbo and Yoruba that meaningfulness is constituted by a cluster of positive values considered together which may include long life, prosperity, marriage, children, great health, happy death, good name, and victory over one’s enemies and life’s challenges); and the personhood theory (emphasizing the point that, although every human being is a person, it takes progressive steps towards morally acceptable style of living to achieve full personhood within the community). Accordingly, the morality of abortion cannot be adequately assessed through a utilitarian lens alone, just as capital punishment cannot be justified solely on utilitarian grounds. Utilitarianism is thus insufficient for determining the meaning of human life, especially within the African (Igbo) context, where human rights serve

to promote mutual and harmonious coexistence and are understood as objective rather than subjective constructs defining persons, society, and their interrelations.

In accordance with the third source of law in Igbo jurisprudence, a mother's emotional attachment to her fetus should render abortion morally unacceptable, particularly when she reflects psychoanalytically and reflectively on this bond. Sincere mothers are unlikely to accept Singer's one-dimensional theory, which centers solely on the mother's or parents' perspective, neglecting the preborn child. Empirical evidence shows that mothers engage in profound and intimate relationships with their unborn children throughout pregnancy (Simkin, Whalley, Keppler, Durham & Bolding, 2010, p. 36). Singer's position implicitly permits abortion only for mothers lacking such attachment. Moreover, there is no necessary connection between protecting life—whether of a grown human or a fetus—and the capacity to feel pain or hold preferences. In addition, abortion decisions should not be based on transient concerns such as food availability or population size. Singer's preference utilitarianism is overly reductionist; he himself has distanced from it, exemplified by his personal care for his incapacitated mother, demonstrating the limitations of utilitarian logic in ethical decisions regarding life and death (Klusendorf, 2009).

Furthermore, Peter Singer's bioethical theory promotes a mechanistic view of the human person. A simple characterization of the human person as possessing consciousness, self-awareness, rationality, and the ability to choose merely glosses over the question, 'Who is a human being?' Self-understanding is a fundamental prerequisite for a rational being; it does not simply coincide with consciousness or self-awareness. It goes beyond these. According to the first source of law in Igbo jurisprudence mentioned above, understanding oneself means comprehending the complex web of connections between oneself and other beings within the hierarchy of being. Peter Singer's condition of "the free and rational decisions of the patient" (Singer, 2011a, p. 195), is not enough for arriving at bioethical decisions. To understand yourself, you must comprehend life and its meaning both for yourself and for all creation. There is a phenomenological and cosmic connection between the microscopic self and the macroscopic universe of human life and existence, as articulated in the Igbo hierarchy of beings. This is epitomized by the African saying popularized by Mbiti (1970, p. 230), which affirms, "I am because you are and since you are, therefore, I am".

Accordingly, the decision to abort should not rest solely with the parents. The broader community of human society – possibly the state – should be involved. If one follows Singer's account of the right to life as based on consciousness and the desire to continue living, then, for example, the killing of a depressed person who no longer finds meaning in life and does not desire to live would be morally permissible. However, we know that this is contrary to every moral intuition. A preborn child, who obviously cannot express a desire to live, should not be aborted any more than a six-year-old child who does not want to go to school should be allowed to skip it. Surely, the preborn child reserves the right to live just as the six-year-old child reserves the right to attend school. Hence, Singer's defense of abortion is inadequate because it fails to align with a proper understanding of personhood and human rights.

Furthermore, every human action is traditionally accompanied by a certain decorum and attitude. In light of the second source of law in Igbo jurisprudence mentioned above, the Igbo proverb says, '*k'lkenga ahana, a di-jiri aka abuo buru ya,*' meaning: an image of a personal deity must always be handled with both hands, regardless of its size. Thus, preborn babies are regarded and treated as the 'humans they are destined to become'— that is, as embodied minds, not merely biological organisms (Kittay, 2005). This attitude of awe and respect for everything — especially human life — is essential for fostering creative development in the project of human existence, providing a protective barrier against potential abuses. This attitude is not simply rooted in religious convictions, speciesism, or humanism, but arises from rational skepticism and cautious consideration of life's possible trajectories, guided by a spirit of

responsibility and commitment to the truth (Macaulay, 2020). Thus, the continued existence of a human fetus should not be ended simply because it seemingly lacks the characteristics that Singer has identified as qualifying it to be called a human person. The vulnerability of the unborn offspring and parental responsibility should inspire one to follow this line of thinking: “to avoid being numbered amongst the oppressors” (Singer, 1989, p. 148). The reason for repudiating abortion is rooted in the second source of law in Igbo jurisprudence, which associates abortion with “the taboo against harvesting premature crops or fruits” (Tangwa, 2000). The Igbo stigmatize abortion, so women who wish to end their pregnancies secretly and dangerously resort to herbal abortifacient concoctions made from local plants, notably *Aframomum melegueta* (alligator pepper), *Morinda lucida* (brimstone tree), and *Cymbopogon citratus* (lemongrass).

### **A critical appraisal of Singer’s conception of abortion**

We now examine key aspects of Singer’s conception of abortion to evaluate its validity and relevance. The primary issue lies in his notion of the ‘right to life,’ which he logically denies to the preborn child. Singer contends that libertarian-style claims of rights as absolute, inviolable, and abstract individual entitlements are morally irrelevant for ethical decisions and actions. His ethical framework is primarily utilitarian—specifically preference utilitarianism—which rejects rights in the libertarian sense. This approach evaluates the morality of actions based on their consequences and the satisfaction of preferences or interests rather than invoking rights as overriding moral factors. Libertarians view the right to life (or human rights more broadly) from the perspective of specific personal characteristics that underpin moral obligations toward persons. Nozick (1974, p. 49) identifies these characteristics as the capacity for long-term planning, abstract reasoning, principled self-governance, and life regulation based on chosen conceptions. But, Singer’s preference utilitarianism aligns with certain egalitarian perspectives, advocating for the equal consideration of interests. Building on this foundation, Singer critiques speciesism by seeking equal consideration of the interests of all sentient beings rather than appealing to libertarian rights theory. “All the arguments to prove man’s superiority cannot shatter this hard fact: in suffering, the animals are our equals” (Singer, 2011a, p. 7).

However, one must differentiate between the conception of rights and the constitution of rights. For Robert Nozick, rights are static; for Singer, they are functional, defined by outcomes and preferences. Despite their divergences, a semblance emerges between libertarian and utilitarian conceptions of rights: both emphasize individual traits—utilitarianism focuses on capacities for sentience, self-awareness, rationality, and preferences/interests, while libertarianism stresses capacities for autonomy, rationality, decision-making, and deliberation. Both converge on autonomy as a pivotal criterion, often excluding those who fail to qualify from possessing rights. As Singer notes, “Autonomy—the capacity to govern oneself according to reason—has often been regarded as central to the possession of a right to life, because it is only autonomous beings who can have an interest in continued existence” (Singer, 2011a, p. 84). This exclusionary aspect renders the language of rights too vulnerable to abuse in both Nozick’s and Singer’s frameworks. For example, on account of his notion of the right to life, Singer classifies prenatal humans as non-persons, denying them moral protections, and implying that abortion is neither unjust nor punishable. There is nothing to show here that Singer (2005, p. 351) explored moral/rational intuition to arrive at such a conclusion. This stance is morally troubling and counterintuitive, creating a double standard. Nature provides for all humans without discrimination, so (human) ethics should reflect the same.

Nevertheless, Singer does not endorse this exclusionary interpretation. He explicitly states that his theory is not a theory of rights but contrasts Nozick’s rights-based libertarianism with his welfare-oriented, consequence-based ethics. He demonstrates that Nozick’s extreme libertarian minimal state adversely affects welfare, education, and health (Singer, 1982, pp. 50–

54). For him, rights language serves as political shorthand unsuitable for moral deliberation. Regarding his use of rights, particularly concerning the preborn, Singer employs the term in a utilitarian sense. This creates a tension: why use rights terminology in ethics if it properly belongs to politics, and how does one reconcile this with utilitarian logic, often criticized in abortion ethics? For instance, Singer asserts, “the limit of sentience is the only defensible boundary of concern for the interests of others” (Singer, 2011a, p. 79). Such reasoning underlies the conclusion that abortion is morally permissible. Accordingly, “The wrongness of killing depends on the person’s capacity for preferences and self-awareness” (Singer, 2011a, p. 74). These considerations compel rethinking and revising Singer’s utilitarian application of the right to life.

Taking public health policy into account, Singer’s conception of abortion and his bioethical framework create difficulties. In Nigeria, for instance, abortion is legally restricted to cases where the mother’s life is at risk, precluding publicly funded screening, counseling, or access to safe abortion outside such circumstances (Human Reproduction Programme, 2022). Adopting Singer’s view would imply expanding public health financing to enable broader access to reproductive services, such as unrestricted safe abortion, based on his principle of equal consideration of interests (Esan, Adeomi, & Afolabi, 2023, p.15). However, this approach is likely to neglect vulnerable populations like market women not covered by government payrolls and those residing in remote areas without healthcare access.

This is contrary to principles that seek to protect disadvantaged groups through affirmative action (Almada, 2024). Additionally, public acceptance of a Singer-like policy emphasizing individual rights is minimal in Nigeria’s socio-political context, where communal interests and traditional norms dominate public health decisions (Chinedu-Elonu, 2024). The policy would also conflict with Nigeria’s systemic challenges, including limited healthcare resources, institutional fragmentation, funding constraints, and a complex political-economic landscape (Ogbodo, 2023). While Singer’s principle of general beneficence demands the impartial extension of safe abortion services to all women, Nigerian public health policy reflects Beauchamp and Childress’ caution that “the more widely we generalize obligations of beneficence, the less likely we will be to meet our primary responsibilities” (Beauchamp & Childress, 1994, p. 264). Consequently, Nigeria’s National Health Policy focuses on “equity in access and use of services” and prioritizes “the poor and vulnerable” (Federal Ministry of Health, 2016, p. 27), illustrating the practical limits of applying Singer’s utilitarianism without accounting for ethical diversity and systemic constraints. Singer’s utilitarian stance on abortion is ideologically driven under the guise of science, risking a “soft totalitarianism” or culture of silence, as Lindstrom (2021, p. 3) warns against the fusion of science and ideology.

Singer’s (1994, pp. 105–107) view that moral status depends on capacities like sentience and self-consciousness—rather than membership in the species *Homo sapiens*—is logically, but not rationally, justified. Consequently, his rejection of speciesism can be easily challenged, with or without evidence. In fact, fetal membership in *Homo sapiens* confers moral status well before the twentieth week, as its full human genetic code is already present (George, 1997; Klusendorf, 2009). Singer’s conception appears designed to deny the preborn child moral status and agency. Although Singer (2016) criticizes ethical reasoning based on intuitions grounded in culture and religion, we argue that traditional norms offer a more reliable foundation for ethics than individual sentiments or idiosyncrasies. Habermas (2002, p. 150) contends that secular and religious normative frameworks can and should mutually inform one another, fostering a higher form of freedom within society—one that transcends reliance on positive law or purely logical analysis.

Singer (2002, pp. 14–17) ) rightly highlights climate change as a moral issue, emphasizing that the affluent bear responsibility for the harm inflicted on the world’s poor and future generations. While this stance deserves commendation, his moral indifference toward the

preborn—reflected in his support for abortion—undermines nature’s order of things. Climate change adaptation and mitigation demand a global commitment to protecting and restoring ecosystems. This is compromised by abortion – the disruption of the peaceful life of the preborn – a practice that parallels desertification and deforestation. As Singer (2006, p. 415) urges the global community to regard climate change as an ethical issue due to its implications for the distribution of scarce resources, so too should human life be regarded as a *scarce resource* from conception to natural death. Singer (2006) advocates global justice and individual responsibility, urging developed nations to bear the greatest burden in mitigating climate change.

However, the authors think that all nations should share this responsibility jointly, depending on their capabilities, aligned with the Igbo philosophy of *Ibu anyi danda* – “no load is too heavy when shared” – (Njoku, 2018, pp. 7–8), and African principles of *Ubuntu* and *Ukama* (Van Jaarsveld, 2023, pp. 5–7). This is consistent with the International Court of Justice’s (ICJ) landmark advisory opinion of 23 July 2025. The ICJ clarified states’ obligations under international law to protect the environment from anthropogenic greenhouse gas emissions and the legal consequences of non-compliance (Bradlow, 2025). The Court emphasized that these duties extend beyond treaty commitments to customary international law and other relevant treaties, such as the UN Convention on the Law of the Sea, which bind all states irrespective of ratification. Climate obligations incorporate mitigation and adaptation measures based on the best available science, recognizing that environmental harm jeopardizes fundamental human rights, including life, health, and livelihoods (Bradlow, 2025). The court’s position that “climate action is a joint task” (Kreft & Solmecke, 2025), interestingly resonates with the paper’s position on the matter. This is undoubtedly a landmark and game-changing advisory opinion that “transforms the climate crisis from primarily a political or ethical challenge into a clear legal obligation for States” (Kreft & Solmecke, 2025). It is a call for cooperation, responsibility and accountability on climate change. And just as the environment must be protected and cared for, so too must the preborn child at every stage of development, not merely to prevent harm but based on an ecological ethic that recognizes the intrinsic value of life and its surroundings (Naess, 2008).

The issue of abortion is closely linked to climate change, environmental degradation, and human/animal health. Contraceptive pills and abortifacient chemicals adversely affect marine life after entering sewage systems. Synthetic estrogens, such as ethinyl estradiol (EE2) from birth control pills, are among Europe’s top contaminants due to their harmful impact on aquatic ecosystems (Bobiričã, Orbeci, Ionica & Bobirica, 2025). Mifepristone, a synthetic progesterone receptor antagonist used as an abortifacient and emergency contraceptive, similarly poses risks to aquatic organisms (Pech, Steinbach, Kocour, Prokopová, Šandová, Bořík, Lutz & Kroupová, 2023). These compounds enter water bodies via wastewater effluents, disrupting endocrine function in fish, causing feminization of males, altered reproductive behaviors, and impaired fertility (Kidd, Paterson, Rennie, Podemski, Findlay, Blanchfield & Liber, 2014; Blanc-Legendre, Guillot, Chevalier, Malleret, Menach, Pardon, Budzinski, Brion, Sire, Coumailleau, Charlier, Pellegrini & Cousin, 2025). In some cases, exposure leads to population declines (Fortuna, Varella, Siqueira, Soares, Freddo, Nardi, Barletto, Bertuol & Barcellos, 2024). Such effects have been documented in freshwater ecosystems and experimental lakes, underscoring the ecological risks of these endocrine-disrupting chemicals (EDCs) even at low concentrations. Overall, these substances threaten reproductive health in aquatic fauna and may have broader ecosystem-level consequences.

### **Concluding remarks and the way forward**

Singer’s preference utilitarianism, which disregards the preborn child’s moral status and agency, is unjustified and destabilizing, contributing to anomie—a breakdown or confusion of

moral values and norms in society (Lindstrom, 2021, p. 2). Therefore, Singer's utilitarian perspective on abortion is deeply problematic, particularly when evaluated from African (Igbo) cultural standpoints. Singer (2011a, p. 271) acknowledges that the value of the natural environment is meaningful primarily through human appreciation of its usefulness for relaxation, beauty, knowledge, leisure, curiosity, and well-being. Thus, humans are valuing subjects, and preborn children should be considered (potential) valuing subjects.

The authors view Singer's support for abortion as a 'quantum leap' resulting from his inconsistent application of anti-speciesism across bioethics and environmental ethics. If, as Singer admits, it is difficult to assert equal intrinsic value between sentient and non-sentient beings, then it should be equally untenable to claim equal intrinsic value between valuing and non-valuing subjects within the ecosystem. However, through his contested interpretations of personhood and autonomy, Singer shifts from intrinsic to extrinsic value, thereby justifying abortion. His utilitarian framing equates the 'right to life' with the 'meaning or worth of life'. This approach sparked widespread opposition in German-speaking countries in the early 1990s for its resemblance to Nazi ideology, which similarly drew arbitrary lines between persons and non-persons based on problematic definitions (Pauer-Studer, 1993, p. 20). Given the three fundamental sources of law in Igbo jurisprudence, Singer's abortion ethics—insensitive to African cultural frameworks—are likely to face similar rejection in Africa, particularly in Igbo-speaking regions.

By applying the African (Igbo) jurisprudential perspective to Singer's discourse on abortion, the authors address flaws in his bioethics, particularly his interpretation of personhood, and reconceptualize moral status and agency, including that of the preborn. We affirm with Jecker and Atuire (2024, p. 154) that the African notion of personhood is earned, scalar, dynamic, and primarily extrinsic—based on moral character—while also recognizing intrinsic innate qualities. We further align with Molefe and Muade (2023) in emphasizing both individual and relational dimensions of personhood. In Igbo thought, each and every human, including the preborn, is in essence a person (*mmadu*).

However, cosmologically, personhood is earned through fulfilling specific socio-cosmological responsibilities. This earned personhood emphasizes the individual's capacity to meet responsibility demands, regardless of status, age, or gender. Persons are humans who recognize their accountability to praise or reproach based on how well they fulfill the behavioral expectations as embedded in Igbo proverbs and wisdom. For example, the proverb *Okenye anaghi ano n'ulo, ewu amuo n'ogbiri* ("a responsible person does not passively watch while a goat labors under its tater") illustrates this principle. Accordingly, fetuses, children, the mentally ill, animals, and some adults may not qualify as persons if they fail to or cannot act responsibly. Responsibility here entails *ceteris paribus* obligations in moral as well as non-moral spheres, including epistemological and emotional domains. In this paper, we privilege the first sense of personhood over the second. However, both are complementary and mutually commensurable. For the responsibility of persons in the second sense shields—and the lack of it now profits—those in the first sense and even beyond.

Contrary to Singer's view that moral agency requires free, reflective, and purposeful action grounded in moral principles, the Igbo (African) view sees varying capacities existing between fetuses, infants, and adults, with regard to moral agency, as non-problematic. Rolston's (1991) conception of moral agency, grounded in nature's intrinsic value and humanity's duty to preserve life, complements this outlook. Thus, the African (Igbo) jurisprudential critique resonates with Rolston's broader ethical framework. This article contributes to bioethical debates on abortion by broadening Singer's framework to incorporate African legal and ethical traditions, and to environmental ethics by reinforcing Singer's climate change insights while advocating for integrative discourse linking climate and abortion ethics.

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