



Dualism in Bantu Philosophy: Affirming a Connection between Causation in African Thought and Causation in Law

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Abstract:

This study adopts the method of hermeneutics and content analysis to examine Placide Tempels' Bantu philosophy which is rooted in metaphysical dualism. It builds on Placide Tempels account of Bantu belief in the principle of cause and effect to establish a connection between African belief in causality and causality in the law. This paper discovers that most of the works done by authors in establishing link between African belief in causality and Western account of the concept approach it from the perspective of free will and determinism. The paper argues that such approach tends to limit causation in the law to cause-in-fact, whereas, studies on attribution of responsibility in law strongly show that cause-in-fact is inadequate for causal relations in law. The position of this paper is that Cause-in-law, which, both philosophers and legal scholars see as the most important factor for causation in the law, features in dualism of cause and effect among the Bantus. The connecting factor being that the Bantus' belief in a metaphysical element (ancestor) playing a role in determining consequences of action especially in the circumstance diminution of vital force (the determinant of personhood), aligns with the idea of intuition being the determinant of cause-in-law. Consequently, this study regards as unfounded the distinction usually made between Western thought patterns and African world view. It calls for a genuine approach to understanding African thought patterns, believing that such approach could lead to reforming most of the anomalies observed in Western thought such as the object/subject dichotomy.

Keywords: Causation, Connection, Dualism, Law, Philosophy.

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Introduction

Placide Tempels was a missionary Reverend Father, who went to Congo in Africa and evangelized the Bantu people in Central Africa. Born on 18th February 1906, Tempels wrote a famous book he titled *Bantu Philosophy* in 1945. In this book, Tempels was out to prove that the African people are humans and reasonable as against the European idea that Africans lack the capacity to reason. In order to do this, he has to x-ray the cosmology of the Bantu people.

Originally, the term Bantu philosophy referred to research done in traditional culture between 1950 and 1990 in Central Africa – more specifically, in the Democratic Republic of Congo (called Zaire in 1971 – 97), Rwanda, and Uganda by philosophers and theologians such as Mulago awa (Ikala Musharamina, John Mbiti, Mutuza Kabe, and Alexis Kagame." (Nkulu – N'sengha, 2023, p. 1).

However, with the classical work of Placide Tempels on Bantu philosophy, it seems Bantu philosophy has come to be identified with him more readily than its original scope. In his work on Bantu philosophy, there are certain aspects that connect with the theme of metaphysical dualism.

People in different parts of the world have ways of thinking, reflecting, speaking and acting. The entirety of a people's way of life described as culture in philosophical Anthropology finds their roots in the people's philosophy.

The research led bare a lot of beliefs that were existing among the Bantu people but were hardly reflected upon until this research. One of those discoveries is the inherent belief in metaphysical dualism as was exemplified in different ways. In fact, in the very first chapter, he started by saying that "Life and death determine human behavior" (Tempels, 1959, p. 9). Marie Pauline Eboh Shares same view and claims that it is the fear of death to makes people to conform to certain basic ways of living. According to her, "Death controls most human activities" (Eboh, 2011, p. 215). In like manner, Hegel sees "Death [as]... 'an absolute lord' that levels all persons under its authority" (Eboh, 2011, p. 219). For fear of death, life is well lived, showing the relationship between life and death at even the first instance. Such relationship does not end life and death in Tempels' philosophy. Tempels also noticed the existing relationship between two worlds he described as visible world and invisible world, where the actions of the beings in the invisible world effect the existence of the beings in the visible world and vice versa. He noticed that in every human being, there is a relationship between strength and enfeeblement in human existence, as well as between cause and effect in all things. Thus, Tempels accepts that reality is dual and mutually independent in nature. This work intends to expose Tempels' position on the dualism of reality, especially as it concerns the concept of causality showing the connection it has with Western concept of causality in law.

Dualism in Bantu Philosophy

Placide Tempels Bantu philosophy is a child of necessity. Tempels who was a Belgian missionary in Congo wanted to acquaint other missionaries with reality in Africa, as to aid them speed up their missionary work. The first issues that Tempels addressed in his little book is the issue of life and death and their influence in human existence. Tempels, just like Eboh, but even before Eboh's work had argued that the human behaviour is determined by the reality of life and death. Using the African background of Congo, Tempels made a general assessment on the extent life and death determines the human behaviour. He argued that, "It has been often remarked that an European who has given up, during his life, all practices of Christian religion, quickly returns to a Christian Viewpoint when suffering or pain raise the problem of the preservation and survival or the loss and destruction of his being" (Tempels, 1959, p.9). This means that even those who gave up their ontology still have attributes of them in them, even though it may be passive. This truth is not peculiar to Christians alone, other people of other backgrounds also portray similar traits. "Many sceptics turn, in their last moments, to seek in the ancient teaching of the West, the practical answer to the problem of redemption or destruction" (Tempels, 1959, p.9). Recall that sceptics deny the reality of knowledge or at least, the reality of certainty in knowledge. Yet, they know at least the need to return to their foundation at such critical moment. So, Tempels concluded that, "Suffering and death are ever the two great apostles who lead many wanderers in Europe at their moments to our traditional Christian wisdom." (Tempels, 1959, p.9). The Europeans who denied their faith returned to their faith before death and suffering. Suffering and death are ever two great apostles that lead many wanderers in Europe at their moments to the traditional Christian wisdom. This return is not from the viewpoint of Christianity in particular, in Tempels' opinion, rather, a return to the foundations of their existence. The fact remains that this truth applies even in other areas. Writing of this Ikechukwu Anthony, says; "Tempels

began by arguing that the principles of life and death, survival and destruction and the fear of the unknown give birth to certain behavioural patterns and religion practices." (Kanu, 2002, p.3). And "This is true of the European and also of the primitive person to whom the principles of life and death have made an apostle of fidelity of a magical way of life, a magical way of life founded on a logical system of human thought, although simple and relatively primitive." (Kanu, 2002, p.3). It is based on sameness of such realities that philosophers like Parmenides argue that reality is One, Unchanging, and Permanent. Things share certain foundational similarities that cannot be denied. Tempels argues that this truth of returning to the basics at the moment of suffering and death is true also of the Bantu people, who have been civilized. Tempels states with reference to the reactions of the Europeans in the presence of suffering and death, that:

In the same way among our Bantu we see the evolve's, the "civilized", even the Christians, return to their former ways of behaviour whenever they are overtaken by moral lassitude, danger or suffering. They do so because their ancestors left them their practical solution of the great problem of humanity. The problem of life and death, of salvation and or destruction. (1959, p.9).

Tempels just like Aristotle believes that human beings form basics in their existence and only can change superficially. Tempels went further to state that when forces in life push, people irrespective of their place of origin, return to their basics. Therefore, Tempels states that "All human behaviour depends upon a system of principles" (1959, p.9). For him, people's "... reactions are founded upon a compete philosophical system..." (1959, p.9). A people's conception of life which determines their actions and reactions depend on their clear perception of the role of life and death in the existence of the human person, living in the universe. The pleasure of living and the fear of death actually play strong roles in determining people's behaviours.

In the previous works of the earlier three scholars, dualism was discussed relationally; how existence at the physical level relate with existence beyond the physical realm. However, Tempels discusses dualism both as parallel existence of realities and in their relationship. Here, Tempels argues on the reality of both a visible world and an invisible world in Bantu cosmology, the existence of the soul that survives life after death and how the beliefs affect human behaviour.

This view of the visible and invisible world is too deeply ingrained in the spirit of Western culture, not to rise up again irresistibly when the crises of life occur.

It is very possible, both with the individual and with the tribal or cultural group, that the mysteries of life and death, survival and destruction, together with fear arising from all these mysteries, became the psychological agent that gave birth to certain behavioural patterns and to certain redemptive practices (Tempels, 1959, p.9).

Tempels compared the action and reactions of people with different backgrounds; the Christians and primitive people and saw that the believe in these realities influence the human life, the actions and reactions of people in various circumstances.

The Bantu cosmology believes in the existence of the soul in everything, but it is not in the sense of Western cosmology. Writing on this, Tempels states:

When "we" differentiate in man the soul and the body, as is done in certain Western writings, we are at a loss to explain where "the man" has gone after these two components have been separated out. If, from our European outlook, we wish to seek Bantu terms adequate to express this manner of speaking, we are up against very great difficulties, especially if we are proposing to speak about the soul of man. Unless under European influence, the Bantu do not thus express themselves. They distinguish in man body, shadow and breath. This breath is the assumed manifestation, the evident sign, of life,

though it is mortal and in no way corresponds with what we understand by the soul, especially the soul as subsisting after death, when the body with its shadow and its breath will have disappeared. (Tempels, 1959, p.27).

From here, it is understandable that there is a large expanse of influence from Western cosmology in different parts of Africa. As we noticed in the cases of Eboh and Alawa, the use of soul also came from Western influence. Here, Tempels noticed the efforts to have a specific description of soul in Bantu cosmology. He argued that the role of the animation of the body that is apportioned to the soul in Western cosmology is ascribed to breath in Bantu cosmology. The breath is an evidence of life and the shadow is the lesser aspect of the body. Thus, both breath and shadow are parts of the body, but whereas the breath is the higher and animating part, the shadow is the dependent part. This sounds like Platonism in his speculative philosophy of Forms. However, Bantu cosmology has not also debunked subsistence of the human person after death. It rather has a different description and explanation for it.

What lives on after death is not called by the Bantu by a term indicating part of a man. I have always heard their elders speak of "the man himself", "himself", "aye mwine"; or it is "the little man" who was formerly hidden behind the perceptible manifestation of the man; or the "muntu", which, at death, has left the living. (Tempels, 1959, p.27).

From this explanation, the Bantus also believe that there is a part of the human person that survives death, lives beyond the visible world and dwells in the invisible world. This being is hidden from physical perception and continues its existence after death.

Another aspect of metaphysical dualism found in Tempels' Bantu philosophy is on the strengthening or enfeeblement of forces. Force is the potent of life, which could be strengthened or weakened. It is a common thing to hear the Bantu people say that they live for the purpose of acquiring life, strength or vital force, to live strongly.

The Bantu say, in respect of a number of strange practices in which we see neither rime nor reason, that their purpose is to acquire life, strength or vital force, to live strongly, that they are to make life stronger, or to assure that force shall remain perpetually in one's posterity. (Tempels, 1959, p.22).

From this common interest of the Bantus, it, therefore, means that just like forces can be strengthened, forces can also be weakened. Strengthening of forces is positive but weakening of forces is negative. As such, just like the Bantu people strive to acquire positive forces or strengthen their forces, they seek to stay away from negative forces. "Used negatively, the same idea is expressed when the Bantu say: we act thus to be protected from misfortune, or from a diminution of life or of being, or in order to protect ourselves from those influences which annihilate or diminish us." (Tempels, 1959, p. 22). As such, force are object of prayers and actions. People wish, pray and strive to acquire force and also wish, pray and strive not to diminish force. The Bantus go as far as seeking divine assistance to make force stronger. Even God is perceived with force and described with reference to strength. Tempels says "...the Bantu speak of God himself as 'the strong one', he who possesses force in himself." (Tempels, 1959, p. 22). Speaking further, "He is also the source of the force of every creature. God is the 'Dijina dikatampe': the 'mukomo', as our baluba have it, the one who is stronger than all other (Tempels, 1959, p. 22). Force, therefore, is at the centre of all existence, for God to be described from the point of view of force. He is the source of force and through Him, every other being derives force. The founders of the human race, who are dead are assumed to possess extraordinary force and are highly exalted after God.

The spirits of the first ancestors, highly exalted in the superhuman world, possess extraordinary force in as much as they are the founders of the human race and propagators of the divine inheritance of vital human strength. The other dead are esteemed only to the

extent to which they increase and perpetuate their vital force in their progeny. (Tempels, 1959, p. 22).

This sounds more like the hierarchy of beings in African philosophy and exemplified by Etim in this study. God is the source of all force, the spirits of founders of human race are highly revered in the ancestral world also described by Tempels as the invisible world. The other dead also possess spirits, but are regarded according to their impacts. Therefore, even death does not end existence for Tempels. Bad experiences diminish the individuals vital force, unlike good experiences that increase the vital force. "Every illness, wound or disappointment, all suffering, depression, or fatigue, every injustice and every failure: all these are held to be, and are spoken of by the Bantu as, a diminution of vital force." (Tempels, 1959, p. 23). It is therefore, evident that Bantu people avoid these negative sources of diminution and strive for the positive ones that increase the vital force. For the Bantus: "Illness and death do not have their source in our own vital power, but result from some external agent who weakens us through his greater force. It is only by fortifying our vital energy through the use of magical recipes, that we acquire resistance to malevolent external forces." (Tempels, 1959, p.23). Therefore, the Bantus accept any means through which vital force can be acquired, sustained and increased.

Tempels' position that the human vital power is not the cause of evil but evil has its own vital power sounds more like St. Augustine's philosophy on God and the source of evil. "Augustine proposed that evil could not exist within God, nor be created by God, and is instead a by-product of God's creativity." (Wikipedia, Retrieved 16th June, 2023, p.5). a first look at this claim will make it look spurious because Tempels did not deny that God is the source of the vital force for all these but Augustine did. They appear similar from the angle of attributing certain features and denying the negative side of that same features. For instance, Augustine says God is the source of all things, yet God is not the source of evil. For that reason, evil, Augustine says is not a thing, but a negation of what is. In same vein, Tempels upholds that vital force is the source of everything but it is not the source of illness and death. May be like Augustine, illness and death may not be things in Tempels philosophy but negation of things. In such a case, illness will be the negation of good health and death will become the negation of life. However, as good as this sounds, death cannot be a negation of life, for death is part of life and through death, human beings transform to another level of existence.

Anytime a discussion ensues on cause and effect, it is common for a student of Western philosophy to cast his or her mind back to "Aristotle (who) postulated four causes, namely, the material cause, the formal cause, the efficient cause and the final cause (Omogrebe, 2002, p. 141). Somehow, this distort the mind from embarking on a more comprehensive understanding of reality that the idea of cause and effect is common in many cultures. "What you sow is what you reap" (Gal. 6:7), "What goes around comes around" (Emmons, 2005, p.1), "Whatever goes up must come down" (Newton, 2023, p.1); these are all discoveries from common observations in parts of the world, taken up by some individuals and given scholarly inclinations. Tempels also observed the reality of cause and effect in Bantu cosmology and the fact that the people were conscious of it from the fact that they would consciously avoid anything that would cause the diminution of vital force and incline unto what would strengthen it, is clear evidence to show that the Bantus were conscious that every action has its consequence. In Bantu philosophy, cause and effects is acclaimed even among forces and beings. Higher forces can influence lower forces and the level of the force determines its operations. "Higher and lower forces, therefore, are thought of by the Bantu in relation to living human forces." (Tempels, 1959, p. 31). Tempels insists that "For this reason I have preferred to call the influence of one created being upon another causal agencies of life, rather than causal agencies of being, or of force as we have provisionally termed them." (1959, p.31). On the impact of higher forces, Tempels holds, "In fact, even inferior beings, such as inanimate being and minerals, are forces which by

reason of their nature have been put at the disposal of men, of living human forces, or of men's vital forces." (1959, p.31). Etim as stated earlier, seems to see every other created thing to exist at the service of human being. Here, Tempels justifies it from the angle of the quality of forces.

The human person, whether dead or alive can improve or reduce the vital forces of others. "Man (living or deceased) can directly reinforce or diminish the being of another man." One would wonder why the dead were included. The reason is because, for the Bantus, life does not end in death. Eboh captured this in the series of her works on the dead and the idea that they still live, and for the Bantus, death does not stop life; the dead still live, but they live diminished life.

Again, vital forces can be transferred. According to Tempels, "such vital influence is possible from man to man: it is indeed necessarily effective as between the progenitor - a superior vital force, and his progeny - an inferior force." (1959, p. 33). From this angle, it is understood why in Africa, the living on earth, believe the ancestors have greater influence over them and often pray to them for assistance. In Christianity, it is akin to praying to the saints and angels for their assistance. The living on earth are believed to have descended from the ancestors and as such the ancestors are believed to possess the power to either help or harm the living on earth, just like human beings can also reinforce or diminish the force of inferior beings. The belief in the impact of vital force on another force stems from the belief in cause and effect. Every action has its consequences.

Connection between Causation in African Thought and Causation in Law

Temples has given an articulate account of causation in African thought pattern. However, scholars may not have pondered on the serious connection his account has with the Western idea of causation in law manifest in the attribution of responsibility in law. Most of the authors who have attempted to explain causation in relation to attribution of responsibility approach it from the perspective of freewill and determinism (see Nwigwe 1998:70-76; Udoigwomen 2003:23-33). In causation in law, a distinction is usually drawn between what is referred to as 'cause- in- fact' and 'cause in law'. H. L. A. Hart and Tony Honore an attempt to account for causation in terms of attribution of responsibility in law, advocate for cause-in-law as against cause-in- fact (Hart and Honore 1985:121-126). Cause-in-fact is directly connected to attribution of responsibility in terms of free will and determinism, which tries to account for remote and proximate causes of action and upon which the proximate cause of action is seen as the basis of attribution of responsibility. To establish cause-in-fact, the sine qua non (causally relevant condition or conditions) and the NESS (necessary element of a sufficient set), tests are used (Kramer, et al, 2008:578-584). However, Hart and Honore see these tests as inadequate for attribution of responsibility in law because they focus only on the material cause of actions and inactions (act and omission). Thus, they argue that:

Two sufficient causes of an event of a given kind are present and, however fine- grained or precise we make our description of the event, we can find nothing which shows that it was the outcome of the causal process initiated by one rather than the other", (Hart and Honore, p.124).

Hart and Honore therefore affirm the claim that in law, the tests for cause-in-fact serve to establish what Ernest Ojukwu and Chuka Ojukwu describe as 'cause of action'. That is to say that these tests form the reason for an action to be instituted in court, not the reason for passing judgment. According to the Ojukwus, cause of action means any fact or series of facts, which found a claim, that is, the basis of the claim, (Ojukwu and Ojukwu, 2009:103). It implies that an action pertaining to a case cannot be instituted in the court unless there is cause of action, or the case has passed the *sine qua non* test or Ness test, or the both.

Most legal theorists argue that cause- in- fact cannot be the basis of attribution of

responsibility to any agent accused of either crime or tort. As Vilhelm Aubert notes, "...it may be said that law is not unconcerned with causal relationships, but their delimitation and sometimes their interpretation are narrowly defined by normative considerations", (Aubert, 1983:85). What Aubert states is the reason that cause-in-fact is not taken to be conclusive of attribution of responsibility in law. The delimitation of the 'sine qua non' and NESS tests is said to feature in those areas in which our intuitive judgments of responsibility are needed. Thus the tests are said not to be completely relevant in the attribution of responsibility in cases of over-determination, of joint-determination, and of interpersonal relationships in which the agents are not acting in concert. Cases of over-determination involve the attribution of responsibility to two or more agents whose action if taken individually, can bring about the particular consequence. If, for instance, a woman is raped to death by three men, each of them is responsible for the woman's death. Likewise the three of them will receive the same kind of punishment because one man can rape a woman to death. The sine qua non test cannot determine that the three men are responsible and that they should be punished equally. It can only see the combined actions of the men as what caused the death of the woman. In cases of joint-determination, two or more events combine to bring about another. An instance is when a person who intended to commit arson lights a match stick and drops it on a building he or she wants to raze down, and a second person pours petrol on the same house and it is razed down. The sine qua non test may employ either the notion of 'proximate' cause, or the notion of 'remote' cause to establish respectively, that either the person who poured petrol or the person who lit the match, was the cause of the arson. However in law both persons are to be held responsible for the arson. Cases of interpersonal relationships have to do with such issues as parent's responsibility over child, trustee's responsibility over a minor, guardian's responsibility over ward, and others. If for instance a child or a minor commits a crime, and it is found out that his or her action was as a result of neglect, the parents of the child or the trustee of the minor may be held culpable. The sine qua non test, cannot establish that parents or guardians could be held responsible for the acts of their children or their wards, respectively.

Tempels' account of causation in Bantu philosophy clearly indicates that the Bantus have an understanding of the attribution of responsibility similar to the requirement of cause-in-law. According to Tempels, the Bantus believe that vital force, a metaphysical element, could be the cause of not only life but also people's choice of action. This is akin to determinism. However, the Bantus, equally try as much as possible to avoid situations whereby their vital force could be diminished, thereby being unduly influenced by another force, be it superior vital force (ancestors) or inferior vital force (lower beings). This shows a belief that a diminution of vital force which can manifest only in a person acting in a manner he never freely chooses can still bring upon such a person, some consequences (liability, responsibility, punishment). If, not, the Bantus would not consider avoiding diminution of vital force. Likewise, they believe that the consequences they envisage to follow diminution of vital force cannot be determined through factual means like the cause-in-fact. Hence, in such circumstance, they take recourse to the ancestors. The ancestors form an indeterminate factor just like the indeterminate factor (intuition) Hart and Honore, argue is employed in determining cases of overdetermination, jointdetermination and interpersonal relationships. Thus, even the Bantu thought pattern reflect reflects Western thinking in law and invariably, in other fields of human endeavour.

Conclusion

The research undertaken on Placide Tempels *Bantu* philosophy is one of those studies that address the reality of the human person. It digs into the metaphysical foundations of realities and realized that reality is dualistic in nature. Tempels discussion on the dualism of cause and effects is compared to the idea of causality in law which is an aspect of Western thought pattern. A deep connection is established between Western thought on

attribution of responsibility in law in terms of cause-in-law and the Bantus' belief on the attribution of consequences in terms of diminution of vital force. In both situations, an indeterminate metaphysical factor (ancestors for the Bantus; intuition for Western thought) must be involved. Thus, this paper argues that the so-called distinction between Western and African philosophy is unfounded given a direct reflection of Western thought patterns in thought patterns original to Africans.

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