

*Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks*

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**Table of Contents**

Abstract..... 3

1.0 Introduction ..... 3

2.0 Artificial Intelligence and the Right to Health: Promises and Pitfalls ..... 5

3.0 Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks for Posterity ..... 6

4.0 Conclusion..... 8

References..... 10

## **Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks**

**Kariuki Muigua\***

### **Abstract**

*This paper discusses how AI can be appropriately harnessed towards fostering the right to health. The paper observes that AI is providing novel solutions that are improving progress towards the right to health. It examines how AI is transforming health systems and policies and advancing the right to health. Despite its efficacy, the paper observes that the integration of AI into health systems and policies raises several ethical concerns. In particular, the paper notes that African indigenous medical science, knowledge systems and healing methods are yet to be fully integrated into AI frameworks undermining the realisation of the right to health in Africa. The paper posits that African indigenous medical science, spirituality and healing methods have played a key role in promoting the right to health all over Africa for many centuries. Consequently, it argues that incorporating this body of knowledge into AI frameworks can promote holistic, inclusive and culturally-appropriate approaches towards achieving the right to health in Africa. The paper discusses how this ideal can be realised for posterity.*

### **1.0 Introduction**

The right to health is a fundamental human right whose attainment is necessary towards enjoying other human rights and living a life of dignity. The Constitution of the World Health Organization (WHO) defines health as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity<sup>1</sup>. Further, the Constitution of WHO notes that the enjoyment of the highest attainable standard of health is one of the fundamental rights that every person is entitled to without distinction of race, religion, political belief, economic or social condition<sup>2</sup>. It has been argued that the right to health is an inclusive right, extending not only to timely and appropriate health care, but also to the underlying determinants of health, including access to safe and potable water and adequate sanitation, healthy occupational and environmental conditions, and access to health-related education and information, including on sexual and reproductive health<sup>3</sup>.

The human right to health has been recognised at the global, regional and national levels. For example, at the global level, *International Covenant on Economic, Social and Cultural Rights (ICESCR)*<sup>4</sup> recognizes the right of everyone to the enjoyment of the highest attainable standard of physical and mental health<sup>5</sup>. ICESCR

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<sup>1</sup> Constitution of the World Health Organization., Available at <https://apps.who.int/gb/bd/PDF/bd47/EN/constitution-en.pdf> (Accessed on 28/04/2026)

<sup>2</sup> Ibid

<sup>3</sup> United Nations Committee on Economic, Social and Cultural Rights (CESCR), 'General Comment No. 14: The Right to the Highest Attainable Standard of Health.' (Art. 12 of the Covenant), 11 August 2000, E/C.12/2000/4.

<sup>4</sup> United Nations General Assembly, *International Covenant on Economic, Social and Cultural Rights*, United Nations, Treaty Series, vol. 993, p. 3, 16 December 1966

<sup>5</sup> Ibid, Article 12 (1)

***Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks***

requires states to undertake all necessary steps towards the full realization of the right to health<sup>6</sup>. In addition, at the regional level, the *African Charter on Human and Peoples' Rights*<sup>7</sup> encapsulates the right of every person in Africa to enjoy the best attainable state of physical and mental health<sup>8</sup>. The Charter further requires African countries to take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick<sup>9</sup>. The right to health has also been captured at a national level under the *Constitution of Kenya*<sup>10</sup> which enshrines the right of every person to the highest attainable standard of health, which includes the right to health care services, including reproductive health care<sup>11</sup>. The Constitution further provides that a person shall not be denied emergency medical treatment<sup>12</sup>.

Health is therefore a fundamental human right at all levels. It has been correctly noted that good health is humanity's most basic and essential asset<sup>13</sup>. For example, good health is at the cornerstone of enhancement and improvement of overall wellbeing and human development since it enables human beings to undertake social, economic and cultural activities as well partake in civil and political activities<sup>14</sup>. However, achieving the right to health remains an elusive dream for millions of people all over the world. For instance, it has been observed that challenges such as poverty, under-equipped health facilities, inability of the infrastructure in place to meet existing health demands, inadequate human resource in health sectors and gender inequalities undermine the ability of many citizens, especially those in developing countries, to access quality, modern and affordable health services<sup>15</sup>. Tackling these challenges is vital towards fostering the right to health for Sustainable Development. In particular, WHO notes that harnessing Artificial Intelligence (AI) is necessary towards transforming and strengthening global health systems and policies in order to attain the right to health for posterity<sup>16</sup>.

This paper discusses how AI can be appropriately harnessed towards fostering the right to health. The paper observes that AI is providing novel solutions that are improving progress towards the right to health. It examines how AI is transforming health systems and policies and advancing the right to health. Despite its efficacy, the paper observes that the integration of AI into health systems and policies raises several ethical concerns. In particular, the paper notes that African indigenous medical science, knowledge systems

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<sup>6</sup> Ibid, Article 12 (2)

<sup>7</sup> Organization of African Unity (OAU), *African Charter on Human and Peoples' Rights* ("Banjul Charter"), 27 June 1981, CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982)

<sup>8</sup> Ibid, Article 16 (1)

<sup>9</sup> Ibid, Article 16 (2)

<sup>10</sup> Constitution of Kenya, 2010., Government Printer, Nairobi

<sup>11</sup> Ibid, Article 43 (1) (a)

<sup>12</sup> Ibid, Article 43 (2)

<sup>13</sup> Office of the United Nations High Commissioner for Human Rights., 'The Right to Health.' Available at <https://www.ohchr.org/sites/default/files/Documents/Publications/Factsheet31.pdf> (Accessed on 28/04/2026)

<sup>14</sup> Nampewo. Z., Mike. J., & Wolff. J., 'Respecting, Protecting and Fulfilling the Human Right to Health.' *International Journal of Equity in Health*, Volume 21, No. 36 (2022)

<sup>15</sup> Muigua. K., 'Ensuring Healthy Lives and Well-being for All Kenyans.' Available at <https://kmco.co.ke/wp-content/uploads/2020/12/Ensuring-Healthy-Lives-and-Wellbeing-for-All-Kenyans-Kariuki-Muigua-December-2020.pdf> (Accessed on 28/03/2026)

<sup>16</sup> World Health Organization., 'Harnessing Artificial Intelligence for Health' Available at <https://www.who.int/teams/digital-health-and-innovation/harnessing-artificial-intelligence-for-health> (Accessed on 28/04/2026)

and healing methods are yet to be fully integrated into AI frameworks undermining the realisation of the right to health in Africa. The paper posits that African indigenous medical science, spirituality and healing methods have played a key role in promoting the right to health all over Africa for many centuries. Consequently, it argues that incorporating this body of knowledge into AI frameworks can promote holistic, inclusive and culturally-appropriate approaches towards achieving the right to health in Africa. The paper discusses how this ideal can be realised for posterity.

## **2.0 Artificial Intelligence and the Right to Health: Promises and Pitfalls**

Technology and AI provide vital solutions that can foster the right to health. It has been pointed out that the growth of technological innovation is rapidly redefining and reshaping the right to the highest attainable standard of physical and mental health<sup>17</sup>. For instance, digital technologies can support the provision of higher quality health care, increase access to health services including for marginalised groups, and support better patient engagement<sup>18</sup>. In addition, it has been observed that digital tools are enhancing access to health information and education, improving the accessibility of health facilities, goods and services through telemedicine and other forms of digital healthcare, especially for individuals who are living with disabilities or experience a lack of mobility, and enhancing affordability of health services by reducing the need for in-person healthcare<sup>19</sup>.

Technology is therefore a powerful tool that foster the realisation of the right to health across all its dimensions which are: availability, accessibility, acceptability and quality<sup>20</sup>. WHO notes that modern technologies including the internet of things, virtual care, remote monitoring, AI, big data analytics, blockchain, smart wearables, data exchange and storage platforms and tools enabling remote data capture are revolutionizing the right to health<sup>21</sup>. These technologies are improving health outcomes globally by enhancing medical diagnosis, data-based treatment decisions, digital therapeutics, clinical trials, self-management, and creating more evidence-based knowledge, skills and competence for professionals to support health care<sup>22</sup>.

Harnessing technology is therefore crucial towards fostering the right to health. In particular, it has been observed that AI is being increasingly utilised globally to identify health risks, conduct predictive modeling and provide evidence-based recommendations for public health policy and action<sup>23</sup>. AI is bolstering health

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<sup>17</sup> United Nations General Assembly., 'Digital innovation, technologies and the right to health' A/HRC/53/65., Available at <https://docs.un.org/en/A/HRC/53/65> (Accessed on 29/04/2026)

<sup>18</sup> United Nations Development Programme., 'Guidance on the rights-based and ethical use of digital technologies in HIV and health programmes' Available at <https://www.undp.org/publications/guidance-rights-based-and-ethical-use-digital-technologies-hiv-and-health-programmes#:~:text=Such%20technologies%20can%20support%20the,right%20to%20health%20for%20all.> (Accessed on 29/04/2026)

<sup>19</sup> United Nations General Assembly., 'Digital innovation, technologies and the right to health' Op Cit

<sup>20</sup> Ibid

<sup>21</sup> World Health Organization., 'Global Strategy on Digital Health 2020-2027' Available at <https://iris.who.int/server/api/core/bitstreams/a64d584f-015b-471f-9d86-9ea263cfb516/content> (Accessed on 29/04/2026)

<sup>22</sup> Ibid

<sup>23</sup> AI Solutions for One Health Approaches to Epidemic and Pandemic Prevention and Response: Scale, Inclusion and Impact., Available at <https://www.ai4d.ai/projects/ai-solutions-for-one-health-approaches-to-epidemic-and-pandemic-prevention-and-response-scale-inclusion-and-impact> (Accessed on 29/04/2026)

### ***Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks***

outcomes by enabling health professionals to effectively identify, predict and monitor diseases through analyzing vast amounts of data<sup>24</sup>. Through real-time monitoring systems, AI is improving how data is collected, shared, and analyzed, helping decision-makers to act faster and more strategically towards tackling complex and interlinked global health challenges<sup>25</sup>. According to WHO, AI is already playing a pertinent role in diagnosis and clinical care, drug development, disease surveillance, outbreak response, and health systems management thus bolstering the right to health<sup>26</sup>.

Despite its effectiveness, the integration of AI into health services and policies raises several risks and ethical challenges. For example, the use of AI and other digital technologies can undermine the right to privacy especially when online healthcare records, electronic medical records and communications with healthcare providers are not protected<sup>27</sup>. Further, capacity challenges including insufficient investments, inadequate human capacity, and inadequate digital health infrastructure especially in developing countries and rural areas undermine the adoption of AI and other digital technologies towards bolstering the right to health<sup>28</sup>. In particular, it has been observed that biases embedded in AI and digital tools used in the provision of health care are historical and carry forward institutional biases in medical training, diagnostics, clinical care and patient monitoring<sup>29</sup>. Such biases are reflected in data sets, which may lead to the data invisibility of groups of people marginalized by race, gender, class, migration status, disability, sexual orientation and gender identity<sup>30</sup>. In light of inherent biases in AI tools and systems used in healthcare, it has been argued that there is need for inclusive data and participatory design in order to ensure that AI systems reflect the diversity and complexity of the right to health including through recognising indigenous medical science and knowledge systems<sup>31</sup>.

### **3.0 Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks for Posterity**

Indigenous/traditional medical science and knowledge comprises of codified or non-codified systems of healthcare and well-being, including practices, skills, knowledge and philosophies originating in different

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<sup>24</sup> European Parliament., 'Understanding Algorithmic Decision-Making: Opportunities and Challenges' Available at [https://www.europarl.europa.eu/RegData/etudes/STUD/2019/624261/EPRS\\_STU\(2019\)624261\\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2019/624261/EPRS_STU(2019)624261_EN.pdf) (Accessed on 29/04/2026)

<sup>25</sup> Food and Agriculture Organization of the United Nations., 'The role of information and communication technology in One Health intelligence' Available at <https://www.fao.org/one-health/highlights/the-role-of-ict-for-one-health/en> (Accessed on 29/04/2026)

<sup>26</sup> World Health Organization., 'Harnessing Artificial Intelligence for Health' Op Cit

<sup>27</sup> United Nations Development Programme., 'Guidance on the rights-based and ethical use of digital technologies in HIV and health programmes' Op Cit

<sup>28</sup> Mukherjee. D et al., 'Filling the gap: artificial intelligence-driven one health integration to strengthen pandemic preparedness in resource-limited settings' Available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC12727988/> (Accessed on 29/04/2026)

<sup>29</sup> United Nations General Assembly., 'Digital innovation, technologies and the right to health' Op Cit

<sup>30</sup> Ibid

<sup>31</sup> Mapping the application of artificial intelligence in traditional medicine: technical brief., Available at <https://reliefweb.int/report/world/mapping-application-artificial-intelligence-traditional-medicine-technical-brief#:~:text=WHO%2C%20ITU%2C%20WIPO%20showcase%20a,drug%20discovery%2C%20and%20biodiversity%20conservation.> (Accessed on 29/04/2026)

***Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks***

historical and cultural contexts, which are distinct from and pre-date biomedicine<sup>32</sup>. It has also been observed that indigenous/traditional medical science and knowledge comprises of healing practices, methods and beliefs that encompass a holistic understanding of health by taking into account physical, emotional, intellectual, and spiritual well-being, and are closely tied to the cultural and environmental contexts of indigenous peoples and local communities<sup>33</sup>. Indigenous medical science has also described as a collection of knowledge, skills and practices based on the theories, beliefs and experiences indigenous peoples and communities that is applied in the maintenance of health and the prevention, diagnosis, improvement or treatment of physical and mental illnesses<sup>34</sup>.

It has been observed that indigenous medical science and knowledge is popular throughout the world especially in the Global South<sup>35</sup>. This body of knowledge has social, cultural and scientific value and is important for many indigenous peoples and local communities<sup>36</sup>. For example, it has been pointed out that in several countries in Africa, Asia and Latin America, a significant part of the population depend on traditional medicine, including for primary healthcare<sup>37</sup>. WHO notes that indigenous medical science and knowledge plays a key role in fostering the right to health since it emphasizes nature-based remedies and holistic, personalized approaches to restore balance of mind, body and environment<sup>38</sup>.

Indigenous medical science and knowledge has been practiced by indigenous peoples and local communities all over the world since the dawn of humanity<sup>39</sup>. It has been observed that before advances in modern medicine, people all over the world utilised indigenous medical knowledge by relieving pain and illness using plants, herbs, animal organs, roots, leaves and soil among other traditional remedies<sup>40</sup>. In particular, the practice of indigenous medical science, knowledge and healing in Africa predates most of the other traditional medical sciences around the world and is much more prevalent among indigenous and local communities in the continent when compared to modern medicine<sup>41</sup>. It has been observed that indigenous medical science in Africa is a holistic approach that takes into account various types of speciality

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<sup>32</sup> World Health Organization., 'Traditional, Complementary and Integrative Medicine' Available at [https://www.who.int/health-topics/traditional-complementary-and-integrative-medicine#tab=tab\\_1](https://www.who.int/health-topics/traditional-complementary-and-integrative-medicine#tab=tab_1) (Accessed on 29/04/2026)

<sup>33</sup> Indigenous Medicine., Available at <https://www.sciencedirect.com/topics/psychology/indigenous-medicine#:~:text=Indigenous%20medicines%20refer%20to%20traditional,environmental%20contexts%20of%20Indigenous%20communities.> (Accessed on 29/04/2026)

<sup>34</sup> World Health Organization., 'Traditional Medicine' Available at <https://www.who.int/news-room/questions-and-answers/item/traditional-medicine> (Accessed on 29/04/2026)

<sup>35</sup> World Intellectual Property Organization., 'Intellectual Property and Traditional Medical Knowledge' Available at <https://www.wipo.int/edocs/pubdocs/en/wipo-pub-rn2023-5-6-en-intellectual-property-and-traditional-medical-knowledge.pdf> (Accessed on 29/04/2026)

<sup>36</sup> Ibid

<sup>37</sup> Ibid

<sup>38</sup> World Health Organization., 'Traditional Medicine' Op Cit

<sup>39</sup> Kilimwiko. L., 'Why Indigenous knowledge must be preserved' Available at <https://www.dandc.eu/en/article/maasai-know-how-treat-malaria-bark-many-other-indigenous-groups-they-have-immense-medical#:~:text=For%20the%20Maasai%2C%20the%20Earth,aid%20recovery%20from%20blood%20loss.> (Accessed on 29/04/2026)

<sup>40</sup> Ibid

<sup>41</sup> Ozioma. E., & Chinwe. O., 'Herbal Medicines in African Traditional Medicine' Available at <https://www.intechopen.com/chapters/64851> (Accessed on 29/04/2026)

## ***Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks***

including divination, spiritualism and herbalism<sup>42</sup>. Since diseases and illnesses among indigenous and local communities in Africa are considered to have both natural and supernatural causes, they are treated by both physical and spiritual means including divination, incantations, animal sacrifice, exorcism, and herbs<sup>43</sup>. Indigenous medical science and knowledge is a treasured resource among African communities and is usually passed down from generation to generation therefore enabling individuals, families and communities to maintain good health by preventing, diagnosing and treating diseases and illnesses<sup>44</sup>.

Harnessing African indigenous medical science, spirituality and healing methods is therefore key towards improving health outcomes for millions of people in the continent who face challenges relating to accessibility, affordability, trust and transparency of modern health services<sup>45</sup>. In particular, with AI revolutionizing health systems and policies all over the world, incorporating African indigenous medical science, spirituality and healing systems into AI frameworks can foster accessible, affordable, ethical and culturally-appropriate health and medical services towards attaining the right to health for vulnerable and marginalized populations<sup>46</sup>. However, the use of indigenous medical science and knowledge faces several challenges in light of AI and technological advancements in modern medicine. For example, cases of biopiracy have emerged, where indigenous/traditional medical remedies and genetic resources have been commercialized without the Free, Prior and Informed Consent (FPIC) of indigenous peoples and local communities or without regard to fair benefit-sharing arrangements<sup>47</sup>. It has been observed that practices such as digital sequencing, information-mining and bio-innovation driven by AI can pose risks to indigenous medical science and knowledge without sufficient safeguards<sup>48</sup>. These practices can be used to support modern breakthroughs in medicine without adequate recognition to the knowledge-holders of indigenous medical science and knowledge<sup>49</sup>.

In light of the foregoing concerns, it is imperative to incorporate African indigenous medical science, spirituality and healing methods into AI frameworks in order to foster the right to health.

### **4.0 Conclusion**

African indigenous medical science, spirituality and healing methods is a holistic body of knowledge that plays a fundamental role in improving health outcomes especially for vulnerable and marginalized indigenous peoples and local communities. With AI being increasingly integrated into the health sector, incorporating indigenous medical science, spirituality and healing methods into its frameworks is necessary towards ensuring inclusivity, accessibility, affordability and cultural-sensitivity of health services and policies<sup>50</sup>. Achieving this goal involves investing in inclusive AI frameworks that uphold cultural diversity

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<sup>42</sup> Ibid

<sup>43</sup> Ibid

<sup>44</sup> Chaitanya. M et al., 'Traditional African Medicine' Available at <https://www.intechopen.com/chapters/75561> (Accessed on 29/04/2026)

<sup>45</sup> Fokunang. C.N., 'Traditional Medicine: Past, Present and Future Research and Development Prospects and Integration in the National Health System of Cameroon' Available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC3252219/> (Accessed on 29/04/2026)

<sup>46</sup> Mapping the application of artificial intelligence in traditional medicine: technical brief., Op Cit

<sup>47</sup> Goel. S et al., 'Traditional knowledge on health: balancing innovation, ethics and intellectual property' Available at <https://pmc.ncbi.nlm.nih.gov/articles/PMC12578522/> (Accessed on 29/04/2026)

<sup>48</sup> Ibid

<sup>49</sup> Ibid

<sup>50</sup> Mapping the application of artificial intelligence in traditional medicine: technical brief., Op Cit

***Right to Health: Incorporating African Indigenous Medical Science, Spirituality and Healing Methods into Artificial Intelligence Frameworks***

and indigenous data sovereignty in order to recognise and foster the role of indigenous medical science and healing methods in modern medical practices<sup>51</sup>. In addition, enhancing digital literacy skills among indigenous and local communities and traditional healers can empower them to effectively harness modern technologies including AI for improved health outcomes<sup>52</sup>. Strengthening protection of indigenous medical science and knowledge including through sound intellectual property frameworks is key towards preventing its unauthorised exploitation through AI<sup>53</sup>. Further, AI can be utilised as a tool and platform to preserve African indigenous medical science, spirituality and healing methods for posterity<sup>54</sup>. Incorporating African indigenous medical science, spirituality and healing methods into AI frameworks is a viable approach towards achieving the right to health for development and prosperity.

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<sup>51</sup> Ibid

<sup>52</sup> Ibid

<sup>53</sup> Goel. S et al., 'Traditional knowledge on health: balancing innovation, ethics and intellectual property' Op Cit

<sup>54</sup> Mapping the application of artificial intelligence in traditional medicine: technical brief., Op Cit

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