

**SEXUAL AND REPRODUCTIVE HEALTH RIGHTS OF NIGERIAN WOMEN  
AND THE DYNAMICS OF POPULATION IN NIGERIA.**

**By  
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This essay is an analytical, critical and reconstructive work that attempts to come to grips with the issues and problems of the sexual and reproductive health rights of Nigerian women as it relates to the Nigerian population.

It is analytical in the sense that it has to identify the basic elements in women's experiences that negate the sexual and reproductive rights of Nigerian women.

It is critical because attempt is made to engage the dominant positions with a view to determining their relevance to the achievement of the goal of the sexual and reproductive rights of Nigerian women.

The reconstructive aspect of this essay is seen in an effort to engage those constitutional provisions found in the 1999 Constitution of the Federal Republic of Nigeria which have played a role in the areas of sexual and reproductive rights and its implications in Nigerian population.

**Keywords: Sexual and Reproductive Health Rights, 1999 Constitution of Nigeria, Nigerian Women, Population.**

## **EXTENDED ABSTRACT**

### **Introduction**

Every citizen of Nigeria is entitled to his/her sexual and reproductive health rights. These rights are enshrined in the constitution of the Federal Republic of Nigeria. They include The Right to Life<sup>1</sup>, The Right to Dignity of the Human Person<sup>2</sup>, The Right to Personal Liberty<sup>3</sup>, Right to Private and Family Life<sup>4</sup> and Right to Freedom from Discrimination<sup>5</sup>. A failure to protect these rights leads to loss of life, loss of human dignity, loss of privacy and family life and loss of freedom from discrimination. Consequently, this paper relates the violation of these fundamental human rights to the population of the Federal Republic of Nigeria.

### **Description of the Topic to be discussed**

In an attempt to achieve our objectives, this paper critically analyzes these concepts: Sexual health rights, Reproductive Health Rights and Population. It progress by engaging scholars in these fields and International Organizations engaged in the aforementioned concepts. This study concludes by indentifying points of convergence and divergence in other to bridge the gap among these concepts.

According to the United Nations Conference on Population and Development; “Reproductive health rights include the basic right of all couples and individuals to decide freely and responsibly the number and spacing of their children and to have the

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<sup>1</sup> Section 33 of the Constitution of the Federal Republic of Nigeria (Promulgation) 1999 Decree No. 24 Cap C23 Laws of the Federation of Nigeria 2004.

<sup>2</sup> Section 34 of the Constitution of the Federal Republic of Nigeria (Promulgation) 1999 Decree No. 24 Cap C23 Laws of the Federation of Nigeria 2004.

<sup>3</sup> Section 35 of the 1999 Constitution(Promulgation) 1999 Decree No. 24 Cap C23 Laws of the Federation of Nigeria 2004.

<sup>4</sup> Section 37 of the 1999 Constitution(Promulgation) 1999 Decree No. 24 Cap C23 Laws of the Federation of Nigeria 2004.

<sup>5</sup> Section 42 of the 1999 Constitution(Promulgation) 1999 Decree No. 24 Cap C23 Laws of the Federation of Nigeria 2004.

information, education and means to do so and the right to make decisions concerning reproduction free of discrimination, coercion and violence.”<sup>6</sup> On the other hand, population is defined as “all the people who live in a particular area, city or country; the total number of people who live there.”<sup>7</sup>

Fathalla and Cook<sup>8</sup> go further to define reproductive health rights as; “***Reproductive health rights are a series of legal rights and freedoms relating to reproduction and reproductive health***”

In line with the struggle for the recognition of reproductive health rights of women is also the struggle for the sexual health rights of women. The World Health Organization has defined sexual health as ‘*the integration of the physical, emotional, intellectual and social aspects of sexual being in ways that are positively enriching and that enhance personality, communication and love... every person has the right to receive sexual information and to consider sexual relations for pleasure as well as for procreation.*’ It is these rights as provided for in the definition of the World Health Organization that form the sexual health rights of women in Nigeria.

### **The Theoretical Focus**

The theoretical focus would be on the “woman question”. This is a question about the entirety of woman personality. The way societal issues and problems affect a woman bears on their exercise of reproductive health rights, property rights, legal rights, medical rights and marriage etc. The issue of whether she is even aware that she has a choice is

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<sup>6</sup> This was recognized as the beginning of a long definition of Reproductive Health Rights at the United Nations Conference on Population and Development in 1994 in Cairo.

<sup>7</sup> Cf. Oxford Advanced Learner’s Dictionary of Current English, Edited by Sally Wehmeier, Oxford; Oxford University Press, 6<sup>th</sup> ed, 2000. P. 903

<sup>8</sup> M, Fathalla; R, Cook. ‘Advancing Reproductive Rights Beyond Cairo and Beijing’. *International Family Planning Perspectives*. (1996) 115

defined by her educational background or her level of exposure to information gotten either formally or informally<sup>9</sup>.

### **Expected Findings.**

There is increasing concern that not enough attention is paid to men's attitudes, responsibilities and sexual behavior, and that it does not correspond to their power and influence in reproductive behavior, at both micro and macro levels. Men dominate the reproductive arena as researchers, clinicians, lawmakers, funders, university professors and policy makers.<sup>10</sup> Furthermore, at the micro-level of households and lineages, men and patriarchal interests cannot be ignored. According to Isiugo-Abanihe<sup>11</sup>, during a national sample of 3,073 couples, he discovered that 97% of men and 91% of women believed that husbands are more likely to want more children than wives. Both female and male respondents generally felt that men make the reproductive decisions like whether or not to have sexual intercourse, the duration of abstinence and make choices about the practice of family planning.

This further strengthens the call for the involvement of the men folk in the issues surrounding the reproductive rights of the women. Also, according to Isiugo-Abanihe<sup>12</sup>, the study of the sexual and reproductive roles of women has been focused exclusively on women's sexual and reproductive attitudes and behavior, thereby ignoring the reproductive attitude of men and in the process downplaying the impact of compelling sociological and institutional factors that favour Nigerian men in marital and family life

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<sup>9</sup> O.I, Aina. "Mobilizing Nigerian Women for National Development: The Role of the Female Elites." *African Economic History*. Published by African Studies Program at the University of Wisconsin-Madison. No. 21 (1993) pp. 1-20. <http://www.jstor.org/stable/3601806>

<sup>10</sup> See M, Berer.. "Men". *Reproductive Health Matters*. (1996) 7:7-10

<sup>11</sup> Uche, Isiugo-Abanihe. "Reproductive Botwation and Family Size Preferences Among Nigerian Men." *Studies in Family Planning* (1994) pp. 123-144

<sup>12</sup> Uche, Isiugo-Abanihe. "Continuity and Change in Nigeria's Fertility Regime". An Inaugural Lecture delivered at the University of Ibadan. May, 2010. Ibadan University Press, Publishing House, University of Ibadan, Ibadan , Nigeria. Pp. 31-35

issues. Given that men dominate in family life, and that men gain socially and economically from having many children and their reproductive preferences and motivation usually influence their wives' reproductive outcomes, it is of utmost importance that we include men in the business of protecting, recognizing and enforcing the sexual and reproductive health rights of Nigerian women. Especially as it relates to the Nigerian population.