

WOMEN'S HUMAN RIGHTS, TRADITIONAL CULTURAL BELIEFS AND TENETS IN NIGERIA: THE DIVERGENCE AND ITS IMPACT ON SEXUAL & GENDER BASED VIOLENCE/HARMFUL PRACTICES/ SEXUAL REPRODUCTIVE HEALTH AND RIGHTS





This publication was produced by the Centre for Women's Health and Information (CEWHIN) with support from the United Nations Development Programme (UNDP) within the European Union (EU) and the United Nations (UN) funding window for the multi-year Spotlight Initiative to eliminate violence against women and girls.

The United Nations Development Programme is the United Nations' global development network. It advocates for change and connects countries to knowledge, experience and resources to help people build a better life for themselves. UNDP works to eradicate poverty and reduce inequalities through the sustainable development of nations, in more than 170 countries and territories.

The Centre for Women's Health and Information (CEWHIN) is an independent, not for profit making, non-governmental organization established for the promotion of and respect for the human rights of women and young girls, especially their reproductive and sexual health and rights. We are committed to empowering individuals for improved quality of life and social change. CEWHIN envisions a society where women and girls are empowered to realize their mental, social and physical wellbeing.

Disclaimer: This publication has been produced by the Centre for Women's Health and Information (CEWHIN) to illuminate the impact of traditional and cultural beliefs on the lives of women and girls in the society. CEWHIN hereby certifies that all the views expressed in this document are not necessarily the views of the United Nations or the European Union.

Whilst reasonable care has been taken in preparing this document, no responsibility or liability is accepted for errors or for any views expressed herein by CEWHIN for actions taken as a result of information provided in this publication.



WOMEN'S HUMAN RIGHTS, TRADITIONAL CULTURAL BELIEFS AND TENETS IN NIGERIA: THE DIVERGENCE AND ITS IMPACT ON SEXUAL & GENDER BASED VIOLENCE/HARMFUL PRACTICES/ SEXUAL REPRODUCTIVE HEALTH AND RIGHTS



© 2022 Centre for Women's Health and Information (CEWHIN)

All rights reserved solely by the author. The author guarantees all contents are original and do not infringe upon the legal rights of any other person or work. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of the author. The views expressed in this book are not necessarily those of the publisher.

ISBN: 978-978-999-223-2

Centre for Women's Health and Information (CEWHIN)

34, McNeil Road, Off Montgomery Road, Sabo, Yaba, Lagos State.

E-mail: info@cewhin.com, cewhin@yahoo.com

Tel: +234 907 418 7490 / Website: www.cewhin.com

 @cewhin  @cewhin  @cewhin_ng  @cewhin

SGBV Helplines: 0913 600 0347, 0913 600 0349

Contributors: Asikia Karibi-Whyte

CEWHIN Research Team:

Atinuke Odukoya, 'Sumbo Oladipo, Pamela Stephen, Tobi Opadokun and Judith Agada.

This document was designed by PixelHouse, Lagos, Nigeria



CONTENT

<i>Abstract</i>	08
<i>Introduction</i>	09
<i>Sexual & Gender Based Violence/Violence Against Women and Girls Harmful Practices/Sexual Reproductive Health and Rights: A Brief Analysis</i>	14
<i>The Divergence between Women's Human Rights and Traditional Cultural Beliefs and Tenets</i>	21
<i>Laws, Women's Human Rights and Traditional Cultural Beliefs and Tenets</i>	24
<i>Assessing the Impact of Traditional Cultural Beliefs and Tenets, Women's Human Rights on SGBV/VAWG/HR/SRHR</i>	32
<i>Bridging the Gap between Women's Human Rights with Traditional Cultural Beliefs and Tenets: The Role of Traditional Institutions.</i>	35
<i>General Recommendations</i>	40
<i>Conclusion</i>	42
<i>References</i>	43



Acknowledgement

The Centre for Women's Health and Information (CEWHIN) gratefully acknowledges the consultant Asikia Karibi-Whyte who worked tirelessly and gave valuable inputs to examine the divergence of women's human rights with traditional cultural beliefs and tenets in Nigeria and its impact on SGBV/VAWG/HR/SRHR.

Special thanks go to the staff of the United Nations Development Programme (UNDP) Spotlight Initiative Team – Onyinye Ndubisi (Project Manager), Ikechukwu Uzor and Idongesit Nyang for their technical support in implementing the initiative.

We are deeply grateful for the contributions of the project staff; Atinuke Odukoya, Judith Agada, Pamela Stephen, 'Sumbo Oladipo and Tobi Opadokun. who worked tirelessly to make this possible.



35%

of women will experience violence at the hands of their current or former partners in their lifetime, up to

70%

according to national studies.



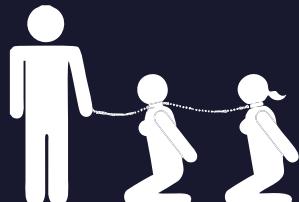
Around
650 million

women alive today were married as children, of these women more than one in three got married before the age of 15.



200 million

women have undergone female genital mutilation—the majority were cut before the age of 5.



Women and girls together account for

71%

of human trafficking detected globally, with girls representing nearly three out of four trafficked children.



31%

of currently married women agree that wife beating is justified, as compared with about one in five women (22% each) among formerly married and never married.



9%

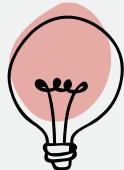
of women in Nigeria have ever experienced sexual violence, while

4%

of women have experienced sexual violence in the year preceding the interview.

Abstract

- Women are entitled to the enjoyment of all human rights because all human beings are born free and equal in dignity and rights.



Theoretically, women have been given equal rights and opportunities, but in practice these are more honoured in words than observance.

Women are entitled to the enjoyment of all human rights because all human beings are born free and equal in dignity and rights. In many cultures, however, the rights of women are subjected to cultural norms. These cultural norms which are embedded in the lived experiences of women in the form of Sexual and Gender-Based Violence (SGBV), Violence Against Women and Girls (VAWG), Human Rights (HR) and Sexual and Reproductive Health and Rights (SRHR) impact the quality of lives of women.

Theoretically, women have been given equal rights and opportunities, but in practice these are more honoured in words than observance. There is a wide gap between women's human rights and implementation of traditional

cultural beliefs and tenets in Nigeria; it is in this vein that an examination of the divergence of women's human rights with traditional cultural beliefs and tenets and its impact on SGBV/VAWG/HR/SRHR becomes very necessary in the age of human rights.

Thus, the paper will proceed as follows: Part 1 introduces the subject matter of international human rights and the place of Nigeria in human rights protection; Part 2 gives a definition of what women's human rights are; Part 3 states what traditional cultural beliefs and tenets are; Part 4 analyses sexual and gender-based violence, violence against women and girls, human rights and sexual reproductive health and rights; Part 5 examines the divergence between women's human rights and traditional cultural beliefs and tenets; Part 6 examines laws, women's human rights and traditional cultural beliefs and tenets; Part 7 assesses the impact of traditional cultural beliefs and tenets, and, women's human rights on SGBV/VAWG/HR/SRHR; Part 8 examines bridging the gap between law and women's human rights: the role of traditional institutions; while Part 9 dwells on recommendations, followed by a succinct conclusion.

Introduction



The historic struggle of man against oppression and intimidation which is still fought at all times and places, necessitates man's consciousness to human rights; this consciousness varies from place to place, and it depends on historical, cultural, and socio-economic background of the peoples concerned.

The idea of human rights which emerged after the Second World War dates to antiquity, however, the comprehensive international and national laws on the promotion and protection of human rights is the product of the last seven decades.

The historic struggle of man against oppression and intimidation which is still fought at all times and places, necessitates man's consciousness to human rights; this consciousness varies from place to place, and it depends on historical, cultural, and socio-economic background of the peoples concerned.² The term 'human rights' has become so popular that there is hardly any political, moral and legal discourse without the term being mentioned.³

The concept of human rights involves consideration of what 'rights' a person possesses by virtue of being 'human'; that is, rights that human beings have simply because they are human beings, independent of the infinite variety of individual characteristics and human

social circumstances.⁴

The United Nations defines international human rights as "those rights which are inherent in our nature and without which we cannot function as human beings."⁵ To the United Nations, human rights are inure in humans by virtue of their humanity; while international human rights encompass civil and political rights, economic, social and cultural rights, collective and individual rights.

Today, the concept of human rights is closely linked to the 'state' or an organised society with a government. The concept of human rights now refers to the relationship between the individual and the state or its government.⁶ The enjoyment of human rights necessitates that both genders should be partakers of rights.

Globally, it is now recognised that women's rights are human rights. This was acknowledged by the world leaders in 1993 at the World Conference on Human Rights and reaffirmed by the world community in



In spite of the obvious fact that society is composed of women and men and that both belong to the category of ‘human beings’ the concept of ‘human rights of women’ is still subject to misunderstanding and misrepresentation.



Every human being is entitled to enjoy human rights and to have them protected by the laws and practice of her/his country of residence.

subsequent conferences held in Cairo, Copenhagen, and Beijing. Given this global recognition, and provisions in international human rights instruments, which entrench and guarantee the equality of sexes, equal and full dignity of the person; non-discrimination based on sex; and freedom from cruel, inhuman, and degrading treatment. It could be expected that women can enjoy their human rights⁷

According to Bunch,
The universality of human rights means that human rights apply to every single person by virtue of their humanity.

The idea of human rights being universal precludes human rights of women being limited by culture and custom; yet, in many societies, culture and custom could impede a woman’s enjoyment of rights. The idea of human rights as inalienable means that it is impossible for anyone to be denied of human rights by virtue of being human, the idea of inalienable rights means that human rights cannot be sold, ransomed, or forfeited for any reason.⁸

Every human being is entitled to enjoy human rights and to have them protected by the laws and practice of her/his country of residence. Under

international human rights law, women and men alike are vested with fundamental freedoms and human rights without regard to characteristics such as sex and race.⁹ In spite of the obvious fact that society is composed of women and men and that both belong to the category of ‘human beings’, the concept of ‘human rights of women’ is still subject to misunderstanding and misrepresentation.¹⁰

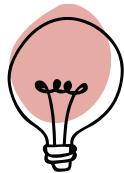
This misunderstanding and misrepresentation gives room for subjugation of women’s human rights as it relates to traditional cultural beliefs and tenets, in Nigeria, thereby forming a clog in the wheel of progress of protection of women’s human rights in Nigeria.

The promotion and protection of women’s human rights in a society such as Nigeria steeped in culture will necessitate the role of traditional rulers, as research has shown that most citizens conduct their affairs based mainly on traditional norms and that traditional rulers do have a strong presence in the lives of many citizens, be it educated or not.¹¹

Nigeria is the most populous country in Sub-Saharan Africa. Its female population is about 50% of the whole. Given the strong conviction that Nigeria



Nigeria is a signatory to many international legal instruments on the promotion and protection of human rights/women's rights.



Non-discrimination is an integral part of the principle of equality; it ensures that no one is denied their rights because of factors such as race, colour, sex, language, religion, political or other opinion, national or social origin, property or birth.

cannot fulfil her development potentials if about half of the population remain deprived of basic rights, it is then necessary to call attention to the need for both the promotion and protection of women's human rights in the face of traditional cultural beliefs and tenets.

Nigeria is a signatory to many international legal instruments on the promotion and protection of human rights/women's rights. For example, Nigeria is a party to Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), United Nations Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) 1979; African Charter on Human and Peoples Rights 1981 (ACHPR), the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa 2005 (Maputo Protocol).

Besides signing international legal instruments, Nigeria participated in all the United Nations Conferences on Women (Mexico 1975, Copenhagen 1980, Nairobi 1985 and Beijing 1995). She has also attended the Beijing plus 5, 10, 15, 20. Despite Nigeria's presence on the international scene on women's human

rights, there is a gulf between women and the rights that pertains to them, causing a divergence between the promotion and protection of women's human rights vis-à-vis traditional cultural beliefs and tenets which impacts SGBV/VAGW/HR/SRHR.

Women's Human Rights: A Definition

The human rights framework is premised on two principles: equality and non-discrimination; equality is a major principle in human rights law which recognises and celebrates human diversity by aiming to ensure conditions necessary for each person to exercise individual self-determination in realising her or his goals and potentials as fully as possible, consistent with other persons self-fulfilment.¹²

Non-discrimination is an integral part of the principle of equality; it ensures that no one is denied their rights because of factors such as race, colour, sex, language, religion, political or other opinion, national or social origin, property or birth.¹³ The indivisibility of human rights means that none of the rights considered to be fundamental human rights are more important than any of the other; more specifically, human rights are interrelated.¹⁴ The evolution of international human rights necessitate for expansion that will be



The human rights framework in women's perspectives has shown the inadequacy of human rights in addressing the issues that affect women



Issues normally associated with women's rights are rights to bodily integrity, and autonomy, to be free from sexual violence, to have equal rights in the family, at work, to have reproductive rights, to own property, and the right to education.

encompassing. Women, in referring to their gender being a part of humans, query the concept of human rights by arguing that in very many instances, human rights does not cover the experience of women, thus, the term 'women's human rights' and the set of practices that accompanies its use emerged which, continuously, is a product of an international movement to improve the status of women.¹⁵

Women's rights are the rights and entitlements claimed for women and girls worldwide. They formed the basis of women's rights in the 19th century and feminist movement in the 20th and 21st centuries. Issues normally associated with women's rights are rights to bodily integrity, and autonomy, to be free from sexual violence, to have equal rights in the family, at work, to have reproductive rights, to own property, and the right to education.¹⁶

Furthermore, women's human rights have been described, both as rights that women have by virtue of being human and as rights specific to women. It has therefore been pointed out that in some situations, women suffer human rights abuses in a specific form related to their being female. It has also been argued that sexual abuse,

violence against women, and other attempts to control women's bodies, which constitute violations of women's human rights, are not recognised as human rights violations, and do not generate as other human rights violations.¹⁷

The human rights framework in women's perspectives has shown the inadequacy of human rights in addressing the issues that affect women; women have, therefore, employed the human rights framework to articulate a vast array of human rights abuses that women face, bringing out clarifying analysis and powerful tools to bear on women's experiences.¹⁸

An adequate account of women's rights as human rights must, in the first instance, reveal women's oppression as culturally, socially, and historically situated; it must pay attention to the particular kind of oppression women suffer in various situations.¹⁹

Traditional Cultural Beliefs and Tenets: What it is?

Women have been active in shaping the history, culture, economics, and politics of the geographical area now known as Nigeria. In Nigeria, as elsewhere, gender has played a major role in defining the character and circumstances



Women and girls from different ethnic backgrounds will find different sets of expectations for behaviour, both from within their own communities and from the society at large.

of people's daily lives.

Different roles and assumptions, together with varying degrees of power and authority are attached to daughters, wives, mothers, and grandmothers, the single, the young, and the elderly. Women and girls from different ethnic backgrounds will find different sets of expectations for behaviour, both from within their own communities and from the society at large.²⁰

Culture is defined as: 'the way of life, especially general customs, and beliefs of a particular group of people at a particular time.'²¹ Traditional beliefs are behaviours passed down within a group or society with symbolic meaning or special significance with origins in the past.'

Tenet is defined as: one of the principles on which a belief or theory is based.²² Traditional cultural beliefs and tenets will therefore be seen as: 'the way of life of a group of people that have been passed down from generations which holds symbolic and special significance to the people and there is always a history and philosophy attached to the specific custom (s)'.

Traditional cultural beliefs and tenets is often said to be iron cast this certainly is not true, because culture is not static, it is very adaptive, culture is an instrument of social engineering, although elements of culture have a stronghold on people's individual psyches, cultures can, and do change.²³



Traditional/cultural belief and tenets is often said to be iron cast, this certainly is not true, because culture is not static, it is very adaptive, culture is an instrument of social engineering, although elements of culture have a stronghold on people's individual psyches, cultures can, and do change.

Sexual & Gender Based Violence/Violence Against Women and Girls/Harmful Practices/Sexual Reproductive Health and Rights: A Brief Analysis



Theoretically, women have been given equal rights and opportunities, but in practice these are more honoured in words than observance.

Sexual and Gender-Based Violence

Sexual and Gender-Based Violence (SGBV) refers to any act perpetrated against a person's will and is based on gender norms and unequal power relations. It includes physical, emotional, psychological, and sexual violence, and denial of resources or access to services. Violence includes threats of violence and coercion.

SGBV inflicts harm on women, girls, men and boys and is a severe violation of human rights.²⁴ The definition offered by United Nations Refugee Agency (UNHCR) states the comprehensive nature of SGBV, as it affects all genders, and it is basically a condition of unequal power relations. SGBV consists of the following:

- ⦿ Sexual violence: e.g., rape, incest, forced

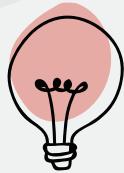
prostitution and sexual harassment.

- ⦿ Physical violence e.g., wife battering and assault, 'honour' killings, female infanticide, child assault by teachers and gay bashing.
- ⦿ Emotional and psychological violence e.g., threats of violence, insults and name calling, humiliation in front of others, blackmail, and the threat of abandonment.
- ⦿ Harmful traditional practices e.g., female genital mutilation, denial of certain foods and forced and/or early marriage.
- ⦿ Socio-economic violence e.g., discriminatory access to basic healthcare, low levels of literacy and educational attainment, inadequate shelter and food, economic deprivation, armed conflict, and acts of terrorism.²⁵

While Sexual and Gender-Based Violence may affect the two genders, however, the female gender bears the brunt of this violation because there is a 'natural' unequal power



Sexual and Gender-Based Violence adversely affects victims, family members, perpetrators, communities, and nations on profound emotional, physical, psychological, and economic levels.



Violence against women' means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts

relations between the male and female gender in the society. SGBV may be perpetrated by anyone and in very many cases, the perpetrators are known to the victims.

The lack of socio-economic power on the part of women, accepted gender roles in the society and the low value placed on women in many societies in Africa, including Nigeria, readily contributes to the violence perpetuated against women.

Bernard observes that: *Violence against women in the family takes place because the perpetrators feel, and their environment encourages them to feel, that this is an acceptable exercise of male prerogative, a legitimate and appropriate way to relieve their tension in conditions of stress, to sanction female behaviour---or to just enjoy a feeling of supremacy.*²⁶

Sexual and Gender-Based Violence adversely affects victims, family members, perpetrators, communities, and nations on profound emotional, physical, psychological, and economic levels.

It accounts for more death and ill health among women aged 15–44 worldwide than cancer, obstructed labour, heart

disease, respiratory infections, traffic accidents or even war.²⁷

Violence Against Women and Girls

The United Nations defines violence against women as: any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivations of liberty, whether occurring in public or private life.²⁸

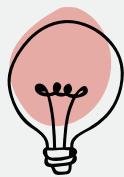
The definition takes cognisance of acts in the family and other close relations, but focuses on women. The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) define violence as follows:

Article 1 (j-k)

Violence against women means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or



The Nigeria Demographic and Health Survey (NDHS), 2018 revealed that gender-based violence (GBV) is widespread, and 31 percent of women aged 15–49 have reported experiences of physical violence, with a marked divide between girls and women in urban (33 percent) and rural (24 percent) areas.



The percentage of women who have experienced physical violence since age 15 increased from 28% in both 2008 and 2013 to 31% in 2018.

of war.

‘women’ means persons of female gender, including girls.²⁹

The definition given by the Maputo Protocol explicitly defines what violence against women and girls entails. Further to the definitions of the UN and Maputo Protocol, violence against women and girls is encapsulating as it entails domestic violence, sexual assault and harassment, early child and forced marriage, sex trafficking, so called ‘honour crimes and female genital mutilation.

According to Oxfam,

35% of women will experience violence at the hands of their current or former partners in their lifetime, up to 70% according to national studies.

Around 650 million women alive today were married as children, of these women more than one in three got married before the age of 15.

200 million women have undergone female genital mutilation—the majority were cut before the age of 5.

Women and girls together account for 71% of human trafficking detected globally, with girls representing nearly three out of four trafficked children.³⁰

The statistics reeled out by Oxfam has a global outlook.

In Nigeria, violence against women and girls strides across all societies. The Nigeria Demographic and Health Survey (NDHS) 2018, revealed that gender-based violence (GBV) is widespread, and 31 percent of women aged 15–49 have reported experiences of physical violence, with a marked divide between girls and women in urban (33 percent) and rural (24 percent) areas.

The percentage of women who have experienced physical violence since age 15 increased from 28% in both 2008 and 2013 to 31% in 2018. These estimates are likely conservative as women tend to under-report experiences of violence.

Thirty-one percent (31%) of currently married women agree that wife beating is justified, as compared with about one in five women (22% each) among formerly married and never married. Rural women are more than twice as likely as urban women to have attitudes that justify wife beating (38% versus 16%).

By zone, the percentage of women who agree that wife beating is justified ranges from as high as 45% in the Northeast



The most common perpetrator of sexual violence among never married women is a stranger (28%) or current/former boyfriend (27%).



In Nigeria, provisions of international human rights instruments have become part of our law through constitutional entrenchment and legislation, and through ratification of treaties including the African Charter on Human and People's Rights

to 7% in the Southwest. 9% of women in Nigeria have ever experienced sexual violence, while 4% of women have experienced sexual violence in the year preceding the interview.

Women who are divorced/separated/widowed are more vulnerable to sexual violence as 15% of them have experienced sexual violence, compared to 9% of married women. Among ever-married women, the most common perpetrator of sexual violence is a current husband/partner (65%).

The most common perpetrator of sexual violence among never married women is a stranger (28%) or current/former boyfriend (27%). The statistics enumerated could be understood to reflect the socio-cultural norms of each society. Each society has mechanisms that legitimise, obscure, deny and therefore perpetuate violence.

Institutions such as the state, family and religious bodies regulate gender relations which collude in maintaining the status quo of violence, thus, victims often have a difficult time escaping violent relationships.³¹

Human Rights

Human rights are expressed and protected in international instruments, regional

instruments and national constitutions and laws. These rights are espoused by all civilised society to all her citizens. Human rights cover civil and political rights, economic, social, and cultural rights and they are inure in man, (in the generic sense) simply because they are human.

In Nigeria, provisions of international human rights instruments have become part of our law through constitutional entrenchment and legislation, and through ratification of treaties including the African Charter on Human and People's Rights (Ratification and Enforcement Act).³²

Some provisions of the Nigerian constitution were lifted from International Covenant on Civil and Political Rights,³³ International Covenant on Economic, Social and Cultural Rights,³⁴ and the principles of Universal Declaration of Human Rights runs through the provisions of the constitution. Both men and women are entitled on an equal footing to the full protection of their rights and freedoms because they are human beings. Concern for, and the protection of individual human welfare is what human rights discourse is all about. The dominant feature of human rights has been the effort to promote equality between



The human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women.



There is no doubt that globally, human rights are recognised, and human rights of women also form the nucleus of such rights.

different groups in the enjoyment of human rights.³⁵

Human rights are entitlements to all citizens of a country, this is because human rights have become a *ius cogens* i.e., simply a set of rules that are recognised by humans and international community as a norm from which no state can derogate.³⁶

The Vienna Conference on Human Rights emphasised the rights of women and girls by declaring in Paragraph 18, as follows:

The human rights of women and of the girl-child are inalienable, integral, and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social, and cultural life, at the national, regional, and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community.

Gender-based violence and all forms of sexual harassment and exploitation, including those resulting from cultural prejudice and international trafficking, are incompatible with the dignity and worth of the human person, and must be eliminated.

This can be achieved by legal measures and through

national action and international cooperation in such fields as economic and social development, education, safe maternity and health care, and social support.

The human rights of women should form an integral part of the United Nations human rights activities, including the promotion of all human rights instruments relating to women. The World Conference on Human Rights urges governments, institutions, intergovernmental and non-governmental organisations to intensify their efforts for the protection and promotion of human rights of women and the girl-child.³⁷

There is no doubt that globally, human rights are recognised, and human rights of women also form the nucleus of such rights.

Sexual and Reproductive Health and Rights

Sexual and reproductive health is a state of complete physical, mental, and social well-being in all matters relating to sexuality and reproductive system. All individuals have a right to make decisions governing their body and to access services that support that right.

Every individual has a right over their sexual and reproductive

Every individual has the right to make his or her sexual and reproductive health, which implies that people should be able to have a satisfying sex life, the capability to reproduce and the freedom to decide if, when, and how often to do so.



health, which implies that people should be able to have a satisfying sex life, the capability to reproduce and the freedom to decide if, when, and how often to do so.³⁸ The control of women's reproductive and sexual capacities has a history that dates to antiquity.

Over the years, governments have used criminal laws as a primary instrument to express and control morality, particularly through the prohibition of birth control and abortion or through penalising 'unacceptable' forms of sexual behaviour.³⁹

According to Cook,

*'The protection of women's reproductive health rights is not the priority of most governments, which can be deduced from the legal framework of most countries. From time immemorial, the duty of women in the society is the continuity of the race through bearing of children, particularly sons. The cost of pregnancy to a woman's health is, however, not a matter in which the government considered.'*⁴⁰

The concept of reproductive rights was introduced on a global scale at the 1994 International Conference on Population and Development (ICPD) in Cairo, where for the

first time, 'women's reproductive and sexual rights were affirmed:

*Reproductive rights are human rights which are inalienable and inseparable from basic rights, it entails women's right to bodily integrity, the recognition of violence against women and harmful traditional practices such as female genital mutilations as a major reproductive rights and health issue.*⁴¹

In 1995 at the Fourth United Nations Conference on Women,⁴² the discourse on women's reproductive rights was advanced further through the Platform for Action (PFA). The PFA had 12 critical areas of concern to women and in paragraph 96, used the language, which although does not explicitly mention sexual rights or reproductive rights but, it thus spelt out what the elements should be.

The third critical concern in the PFA states:

Inequalities and inadequacies in ad unequal access to health care and related services

This third critical concern becomes imperative in Nigeria as many of the facilities in the health sector are less than ideal. Sexual and Reproductive Rights and Health therefore covers sexual health, sexual



The Committee on Economic, Social and Cultural Rights (CESCR) and the Committee for the Elimination of all Forms of Discrimination against Women (CEDAW) have both clearly indicated that women's right to health includes their sexual and reproductive health.

rights, reproductive health, and rights and reflects an emerging consensus on the services and interventions needed to address the sexual and reproductive health needs of all individuals.

Additionally, it addresses issues such as violence, stigma, and respect for bodily autonomy, which profoundly affect individual psychological, emotional well-being. It further addresses the SRHR of neglected groups (e.g., adolescent girls, LGBTI, individuals and those with disabilities).⁴³

Sexual and Reproductive Health and Rights of women is

related to multiple rights namely: right to life, the right to be free from torture, the right to health, the right to privacy, the right to education, and the prohibition of discrimination.

The Committee on Economic, Social and Cultural Rights (CESCR) and the Committee for the Elimination of all Forms of Discrimination against Women (CEDAW) have both clearly indicated that women's right to health includes their sexual and reproductive health.⁴⁴

States Parties including Nigeria, therefore have obligations to respect, protect, and fulfil rights related to sexual and reproductive health.⁴⁵



Sexual and Reproductive health and rights of women is related to multiple rights namely: right to life, the right to be free from torture, the right to health, the right to privacy, the right to education, and the prohibition of discrimination.

The Divergence between Women's Human Rights & Traditional Cultural Beliefs and Tenets



Traditional cultural beliefs and tenets are those rites, customs, and way of life which has formed a pattern in the lived experience of the community, and in this wise as it relates to women.

Sex-based differential treatment derives mainly from the arbitrary and culturally prescribed division of male and female roles that exists throughout the world.⁴⁶

This sex discrimination is evident from the moment of birth when the child is first identified as a male or female, especially in patriarchal societies where the birth of a son is a particular cause for celebration.

In the absence of sons, the birth of a girl child is oftentimes a cause of lamentation as typified in an ancient folk song which says: *Why did you come o girl when we wished for a boy? Take the jar and fill it from the sea. May*

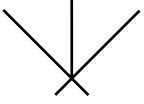
*you fall into it and drown.*⁴⁷

Women's human rights are rights claimed by women as members of humanity and these entail civil and political rights and economic, social, and cultural rights.

The incorporation of women's perspectives and lives to human rights standard and practice forces the recognition of failure of countries worldwide to accord women the human dignity and respect that it deserves as human beings.⁴⁸ Traditional cultural beliefs and tenets are those rites, customs, and way of life which has formed a pattern in the lived experience of the community, and in this wise as it relates to women.

In Nigeria, there is a divergence between 'women's human rights' and 'traditional cultural beliefs and tenets. It is pertinent to inquire about this disparity because 'in theory and in legal terms, women may have been given equal rights and opportunities to participate fully. In practice these are honoured in words than observance'.⁴⁹

In Africa and Nigeria, the concept of human rights has generated different perspectives, for example, there has been a major 'conflict' between western and non-western interpretation of



The incorporation of women's perspectives and lives to human rights standard and practice forces the recognition of failure of countries worldwide to accord women the human dignity and respect that it deserves as human beings

human rights concepts and principles on the nature of rights.

According to Wallace, the main debate in international human rights centre on the question of universal basis of human rights among scholars, activists, and jurists; she identified the two divides mainly as: the Universalist Theory of Human Rights, and the Cultural Relativist Theory of Human Rights.

The Universalist Theory of Human Rights argues that human rights are applicable in all societies without any form of distinction; on the other hand, the Cultural Relativist Theory of Human Rights championed by non-western societies, of which African and Nigerian scholars are major proponents, rejects the universal application of human rights norms, to them certain human rights concepts cannot be applied universally without consideration for the culture and the environment of the people.⁵⁰

Herein lies the distinction between the application of human rights in western societies and non-western societies. Further, Cultural Relativists argues that 'human rights differ from state to state. It is fashioned by a state's own values, cultural, and religious traditions.⁵¹

In Africa, and Nigeria, theoretical responses to the concept of human rights included the important question about the role of culture in shaping human rights policy; the concern for strategies that promote human rights are culturally grounded and a general call for cross-cultural dialogue about human rights.

This cultural concern is reflected in the African Charter on Human and People's Rights, thus, the Charter distinguished itself from other regional instruments by enshrining individual duties to society in addition to rights; these duties are owed to the family, society, the state and even to the international community, they include individual duties to respect others without discrimination, to develop family, to serve the nation, to pay taxes, and to promote African unity.⁵²

Further, Article 17 (1) of the Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa also provides for Right to Positive Cultural Context. Women shall have the right to live in a positive cultural context and to participate at all levels in the determination of cultural policies.⁵³

However, what amounts to positive or negative cultural



The arguments of Cultural Relativists reflect the response of Nigeria towards women's human rights, especially as it relates to transformation of international instruments into Nigerian laws.



The Nigerian legislative body have always hidden under this provision to frustrate international instruments on women's human rights; this position also has to do with the cultural undertone.

context was not defined in the protocol, nor an explanation provided in any notes, this makes the provision to be vague as a specific right cannot be linked to positive cultural context.

The arguments of the Cultural Relativists can be summed up as follows:

- ⦿ Norms of morality are relative to a given society.
- ⦿ The ethical basis for international human rights is western.
- ⦿ International norms should not be the basis of value judgments in other cultural contexts.⁵⁴

Ake, succinctly explained why African's place emphasis on the communal when he argues that:

We put less emphasis on the individual and more on the collective; we do not allow that an individual has any claim which may override that of the society; we assume harmony not divergence of interest, competition of conflicts; we are inclined to think of our obligations to other members of the society rather than our claims against

them.⁵⁵

The arguments of Cultural Relativists reflect the response of Nigeria towards women's human rights, especially as it relates to transformation of international instruments into Nigerian laws.

The constitution provides as follows:

No treaty between the Federation and any other country shall have the force of law except to the extent to which any such treaty has been enacted into law by the National Assembly.⁵⁶

The Nigerian legislative body have always hidden under this provision to frustrate international instruments on women's human rights; this position also has to do with the cultural undertone.

The ideological construct of cultural relativism in Africa and, by extension Nigeria, explains the divergence of women's human rights and traditional cultural beliefs and tenets; this is because culture is ingrained on all aspects of life.

Laws, Women's Human Rights & Traditional Cultural Beliefs And Tenets



Traditional cultural beliefs and tenets are those rites, customs, and way of life which has formed a pattern in the lived experience of the community, and in this wise as it relates to women.

Law is the cement of society, and an essential medium of change.⁵⁷

Law, it is true, is often an expression and a reinforcer of existing normative values and standards, applying itself to previously existing social categories and identities. Law may be used to construct new normative values and standards, categories and even identities.⁵⁸

Women's human rights have been useful in efforts to lobby for legislative and policy changes at local, national, and international levels; the human rights framework created a space in which the possibilities for a different account of women's lives can be developed.⁵⁹

In examining laws, women's

human rights, and traditional cultural beliefs and tenets; in this part there will be consideration of laws, women's human rights and traditional cultural beliefs and tenets seriatim.

Nigeria has signed human rights instruments on international, regional, and national planes; these rights instruments which Nigeria is a party to, brings with it obligation to adhere to its principles and practices.

On the international plane, Nigeria is signatory to the following instruments:

- 1.) The United Nations (UN) Charter 1945

The charter emphasises the equal rights of men and women and of nations large and small. One of the purposes of the UN is to achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.⁶⁰

- 2). The Universal Declaration of Human Rights (UDHR) 1948



All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.



Human rights are said to be indivisible and more specifically are interrelated; the principle of equality and non-discrimination basically reiterates the equal worth of person and equal rights of women.

The UDHR is 'a common standard of achievement for all peoples and nations.' Article 1 states:

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

The UDHR, though not of a legal status, is accepted as enshrining 'general principles of law' or aspects of custom.⁶¹

3). The International Covenant on Civil and Political Rights (ICCPR) 1966

4). The International Covenant on Economic, Social and Cultural Rights (ICESCR) 1966

The ICCPR and ICESCR together with UDHR form the nucleus of International Human Rights. ICCPR provides for fundamental basic human rights required to be enjoyed by everyone in a fair/egalitarian society, while ICESCR provides for rights which an individual enjoys in relation to community such as: right to education, right to housing, right to social security, right to safe and healthy working environment, family rights, etc.

Human rights are said to be indivisible and more

specifically are interrelated; the principle of equality and non-discrimination basically reiterates the equal worth of person and equal rights of women.⁶²

5). The United Nations Convention on the Elimination of All forms of Discrimination Against Women (CEDAW) 1979⁶³

This convention is an attempt to secure equality of opportunities for the sexes, it provides for equality in education, employment, healthcare, marriage, and childcare; it also seeks to eliminate all manner of prejudices and customary practices based on inferiority of women.⁶⁴

For example it defines discrimination against women as:

Shall mean any distinction, exclusion, or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.⁶⁵

6). Declaration of Elimination of Violence Against Women⁶⁶

The first international instrument providing a framework for national and international action on violence against women because of the universal application of rights to women and principles regarding equality, security, liberty, integrity, and dignity of all human beings.

On the regional plane, Nigeria is signatory to the following instruments:

i). The African Charter on Human and People's Rights (ACHPR) (Banjul Charter) 1981⁶⁷

The Banjul Charter guarantees the satisfaction of economic, social, and cultural rights as well as civil and political rights *sine qua non*.

ii). The Protocol to the African Charter on Human and People's Rights on the Rights of Women in Africa (Maputo Protocol) 2003.⁶⁸ The Maputo Protocol is a key instrument in the promotion and protection of women and is based on elimination of discrimination against women which it defines as:

Discrimination against women means any distinction, exclusion or restriction or any differential treatment based on sex and whose objectives or effects compromise or destroy the recognition, enjoyment, or

*the exercise by women, regardless of their marital status, of human rights and fundamental freedoms in all spheres.*⁶⁹

The protocol also frowns at 'harmful practices' which is defined in Article 1(g) as: 'All behaviour, attitudes and/or practices which negatively affect the fundamental rights of women and girls, such as their right to life, health, dignity, education and physical integrity.'

The protocol is explicit in its provisions as it endorses affirmative action to promote equal participation of women, including equal representation of women in the Judiciary and Law Enforcement Agencies, right to reproductive health and care, right to peace, right of the elderly women, and women in armed conflicts. It provides a critical framework to address integral issues to realising women's human rights in Africa.

Besides the international instruments listed above, the following international instruments relates to women; the 1952 Convention on the Political Rights of Women demanding electoral power for women; the United Nations Convention on Nationality of Women 1957; the United Nations Convention on Consent to Marriage, Minimum

Age for Marriage and Registration of Marriage 1962. The Beijing Platform for Action 1995 (is a document which stipulates steps on how state parties should tackle inequality and discrimination of women globally). All these instruments are international standards which state parties must follow in the treatment of the female folk.⁷⁰

On the national plane, the 1999 Constitution of the Federal Republic of Nigeria (CFRN) which is the supreme law of the land provides in s.17 (1), (2) (a)

(b) and states as follows:

The state social order is founded on ideals of Freedom, Equality and Justice.

(2) in furtherance of the social order—

(a) every citizen shall have equality of rights, obligations, and opportunities before the law.

(b) the sanctity of human person shall be recognised, and human dignity shall be maintained and enhanced.

Further, s.42 (1) (2) of the constitution provides for equality and non-discrimination as it states that:

1). A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion, or political opinion

shall not be reason only that he is such a person-

a). Be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restriction to which a citizen of Nigeria of other communities, ethnic groups, places of origin, sex, religions, or political opinions are not made subject.'

2.) No citizen of Nigeria will be subjected to any form of disability or deprivation merely by reason of the circumstances of his birth'.

The National Assembly has enacted Violence Against Persons Prohibition (VAPP) Act 2015. The Act prohibits all forms of violence against persons in private and public life and provides maximum protection and effective remedies for victims and punishment of offenders.⁷¹

Certain states in the federation of Nigeria also have laws on Domestic Violence/Violence Against Persons.⁷² An examination of the laws (international, regional, and national) depicts adequate protection of women's human rights.

However, the question is 'it is sometimes asked whether legal rights offer anything to women. The formal acquisition

of a right does not necessarily in itself address the imbalances of power between men and women, neither does it result in the automatic and immediate advancement of women.⁷³

Women's Human Rights as enunciated in the instruments and legislations considered above can be said to be 'freedoms, liberties and opportunities that women have, especially the opportunity to be treated equal to and given the same legal rights of men'. These rights are legal, political, economic, and social rights for women equal to those of men.⁷⁴

Traditional Cultural Beliefs and Tenets are core principles and ideals upon which an entire community exists. This is made up of several parts: customs which are traditions and rituals; values which are beliefs, and culture, which is a group's guiding values. Nigeria has over 250 ethno-linguistic groups and numerous religious communities. Women and girls from different ethnic backgrounds will find different sets of expectations for behaviour, both from within their own communities and from the society at large.

There are many traditional cultural beliefs and tenets as there are ethnic groups in Nigeria, each of the ethnic grouping has its own variation

of customary practices which have acquired the character of accepted usage and an infraction of its norms is sanctionable.⁷⁵

The most common traditional cultural beliefs and tenets are female genital mutilation, son preference, early marriage/dowry, food taboos, widowhood practices/ceremonies, wife inheritance, and practice of polygamy. I now take them seriatim.

Female Genital Mutilation

(FGM) Female genital mutilation (also known as Female Circumcision or Female Genital Cutting) is a procedure performed on a woman or girl to alter her genitalia for non-medical reasons.

It most often involves the partial or total removal of external genitalia. FGM is a violation of girls and women's fundamental human rights.⁷⁶ The practice is recognised internationally as a violation of human rights of girls and women, and it is a form of gender discrimination deeply rooted in inequality between the sexes. FGM has no health benefits for girls and women, it is one of those cultural practices that keeps women in subordination and in a low bargaining position in the society.

The global community has a target to eradicate FGM by 2030 as part of the Sustainable Development Goals.

Son Preference

Son preference is the attitude of preferring a male child to female child; it is a global phenomenon that has existed throughout history. The practice is so strong in many societies where sex selection is practiced.

In Nigeria, the preference for sons is prevalent and exists in many communities, even in those who claim matrilineal descent such as the Kalabaris of Rivers State; the practice is tied to inheritance and unfortunately it has not succumbed to enlightenment or modern age.⁷⁷

Early Marriage/Dowry

In some parts of Nigeria, betrothal, and marriage of the girl child is common. There is no statutory minimum age for marriage; however, the Maputo protocol stipulates minimum age of marriage to be 18 years. Where child marriages are practiced, they are supported mainly on the grounds of preventing sexual activities before marriage. However, no one bothers with the effect of early marriage on a minor whose features may not have developed to weather the

effects of the matrimonial estate. In cases of child marriages, the physical, emotional, and psychological immaturity of the young girls is overlooked, thereby resulting in trauma especially during sexual intercourse.⁷⁸ Parents give out girls at early ages in marriage, often to older men for the financial benefits which they will get in form of a bride price and dowry. These older men take younger girls because of the belief that sex with the younger girls will re-energise them as men.⁷⁹

Food Taboos

Food taboos are known from virtually all human societies. Most religions and culture declare certain food items unfit for human consumption. Dietary rules may govern phases of the human life cycle and may be associated with special events such as menstrual period, pregnancy, childbirth, lactation and in traditional societies, preparation for the hunt, battle, wedding, and funeral, etc.

Food taboos invariably do not make sense at all, as what is declared unfit for a group may be perfectly acceptable to another.⁸⁰ These food taboos have great impact on the health of women especially those in reproductive age 15-49.

It is sad that the practice is

found not only among the illiterate but even among some educated women.⁸¹

Widowhood Practices/Ceremonies

A widow is a woman who has lost her husband through death, it is an ominous ring of finality and heartrending grief which is almost incomparable to any other type. Unless a 'loss' through divorce, separation, abandonment, or polygamy, situations in which husband and wife may still meet though they are not in good terms, death imposes a condition of finality to interaction.⁸²

The trauma associated with widowhood is a well-recognised phenomenon with its discriminatory and dehumanising practices.⁸³ Of significance are the rites connected with the death of a male spouse.⁸⁴

These practices are shaving off of hair, wearing of black apparel, not having a bath etc. The plight of a widow becomes very sad because in the Nigerian society, the status of a widow is demeaned, the loss of a husband makes a widow less deserving of respect and consideration than her married counterparts, especially when she does not have much economic power. The plight of widows has gained attention for possible action. The Social

Development Policy of Nigeria formulated in 1989 recognises the plight of widows, thus, in the chapter on Women and Development in the Policy, 'promotion of the rights and interest of widows' is mentioned as a specific objective of promoting participation of women in development.⁸⁵

Wife Inheritance

Wife Inheritance is simply a practice under which a male kin of a deceased man who is entitled to inherit the deceased's estate is also entitled to inherit his wife. This practice is still on in many communities in Nigeria; it is often argued that this customary practice is designed to protect the woman and her interests by providing her with someone whom she can depend on economically and able to retain the status of being married. The practice strikes at the root of patriarchy as in most cultures, a woman is disallowed from inheriting out of her husband's estates.⁸⁶

In extreme cases, a woman who refuses the practice is thrown out of the family house, economic or life support benefits accruable from the husband's family or personal estate are denied/stopped. Most women unable to fight for their rights are coerced involuntarily and subdued to

this cultural practice.⁸⁷ While all women suffer from various inequities, perhaps at no time are they more vulnerable than when they become widows.⁸⁸

The Practice of Polygamy

This is a type of marriage between one man and many women. Polygamous unions are recognised under customary law in Nigeria. 12 out of 36 states recognise polygamous marriages, all these states are governed by Sharia Law.⁸⁹ Lagos has expunged the offence of Bigamy in her Criminal Law, which leaves room for a belief in polygamy, tactically.⁹⁰

Marital regime operates in a parallel, while civil law forbids polygamy, customary law and sharia law recognise polygamous marriages; the legal status of a married woman can help protect her and allow her certain rights. However, polygynous marriage

contravenes a woman's right to equality with men.⁹¹

The Maputo Protocol recognises the institution of polygamy, article 6 © states that:

Monogamy is encouraged as the preferred form of marriage and that the rights of women in marriage and family, including in polygamous marital relationships are promoted.

An examination of laws, women's human rights and traditional cultural beliefs and tenets shows that while there is law which seemingly protects women's human rights by proclaiming certain rights, traditional cultural beliefs and tenets negate law and the women's human rights, this is because cultural perspectives to law and women's human rights are not in tandem with traditional cultural beliefs and tenets.



The trauma associated with widowhood is a well-recognised phenomenon with its discriminatory and dehumanising practices

Assessing the Impact of Traditional Cultural Beliefs and Tenets, Women's Human Rights on SGBV/VAWG/HR/SRHR



The historic struggle of man against oppression and intimidation which is still fought at all times and places, necessitates man's consciousness to human rights; this consciousness varies from place to place, and it depends on historical, cultural, and socio-economic background of the peoples concerned.

Culture is a combination of many ingredients shared by a group of people, including their traditions, beliefs (both customary and religious), rituals, moral values, system of knowledge, arts and many other factors that form their way of life.

Human rights on the other hand, are mainly concerned about systems that allow human beings to live in dignity.

This dignity is mainly described in terms of equality, equity, and non-discrimination.⁹² Thus, traditional cultural beliefs and tenets connotes the accepted way of behaviour, attitude, and beliefs of a group of people, and in this wise, Nigeria; women's human rights are those rights that accrue to the female gender by virtue of humanity.

Sexual gender-based violence, violence against women and girls, human rights and sexual reproductive health and rights

are the concerns of half of humanity in Nigeria, this is because the role played by culture in the violation of human rights/women's human rights manifests in these violations against women (SGBV/VAWG/HR/SRHR).

The focus of international law/international human rights is on state and public structures to the detriment of the private sphere where many of the violations occur; while, it can be said that the state does recognise violations of non-state actors.

However, it seems that law and human rights yield to the public/private dichotomy, as the ambivalence of traditional cultural beliefs and tenets and women's human rights is reflected in the African Charter, some articles of the Charter refer to the elimination of discrimination based on sex and discrimination against women.⁹³

Article 17 specifically provides



It is pertinent to state that law and women's human rights are on one side, while traditional cultural beliefs and tenets are on another side and there seems to be no middle ground because culturally constructed gender roles are responsible for most of the disparities and contradictions in the protection of women's human rights in Nigeria.



Poverty is a condition where one lacks the usual or socially acceptable amount of money or material possessions.

for the 'promotion and protection of morals and traditional values recognised by the community'. This provision negates the essence of women's human rights, as some of the traditional values recognised by the community serve as grave breaches of the rights of women. It is pertinent to state that law and women's human rights are on one side, while traditional cultural beliefs and tenets are on another side and there seems to be no middle ground because culturally constructed gender roles are responsible for most of the disparities and contradictions in the protection of women's human rights in Nigeria.

The lacuna between law, women's human rights and traditional cultural beliefs and tenets exacerbates SGBV/VAGW/HR/SRHR; these practices, identified as female genital mutilations, son preference, early marriage and dowry, food taboos, widowhood practices / ceremonies, wife inheritance, and the practice of polygamy certainly affect the quality of life of many women resulting in many disorders which are manifested as:

a) Psychological trauma which entails encountering an adverse experience or series of experiences culminating in extraordinary stressful event (s)

that shatters one's sense of security which may impair the brain functions and is reflected in such emotions as anxiety and cognitive functioning.

b) Emotional imbalances often occur, when an individual finds it difficult to cope with life in an effective and reasonable manner; this imbalance is often triggered by shock, anger, anxiety, guilt, shame, and fear.

c) Low self-esteem is a state when an individual lacks confidence about who they are and what they can do, the feelings resonate around the incompetent, unloved, and inadequate.

d) Poverty is a condition where one lacks the usual or socially acceptable amount of money or material possessions. Poverty is said to exist when an individual lacks the means to satisfy basic needs.

e) Ill-health is a state of poor physical and mental state, and

f) Mental illness, which is a condition that affects emotion, thinking and behaviour.⁹⁴

International law, and by extension, international human rights is based on certain principle of existence of states and the readiness of such political units to interact among themselves for their own benefit; the minimum

expectation is that the entities will accord at least certain minimum respect to one another and to their representatives and keep their promises.⁹⁵

Thus, Nigeria being signatories to many international human rights instruments, should see to a total elimination of discrimination against women manifesting in SGBV/VAWG/HR/SRHR. What it means is that the rhetoric of traditional values should, therefore, no longer be used to prevent women from enjoying their basic human rights.

Bridging the Gap between Women's Human Rights with Traditional Cultural Beliefs and Tenets: The Role of Traditional Institutions.



Traditional cultural beliefs and tenets are those rites, customs, and way of life which has formed a pattern in the lived experience of the community, and in this wise as it relates to women.

Prior to colonisation in Nigeria, there exists a system of indigenous traditional administration which varies from one part of the country to the other.

In the northern part where Islam dominates, Hausa/Fulani practiced a highly centralised system of government where the Emir is both the spiritual and political leader of his people; he had the responsibility of making laws, enforcement of the laws, and maintenance of peace and order in his Emirate. As the religious leader, he was expected to ensure that the provisions of Islamic and Sharia laws guide the affairs of the emirate.⁹⁶

The Emir also has a team comprising of advisers who assisted in the day-to-day running of the affairs of the emirate. In the western part of Nigeria, the administration was monarchical under the Oba, he was assisted in the charge of his duties by Baales who administered the towns and villages and paid royalties to the Oba at specified times of the year.

The power of the Oba was not without checks.⁹⁷ In Oyo Kingdom for example, the Alaafin wielded much power, but his power is subject to the control of another institution (the Oyo-Mesi under the leadership of the Bashorun); in the event of an Alaafin becoming a despot, the Oyo-Mesi will instruct him to open the calabash.⁹⁸

Igbo culture area is not a uniform and homogenous entity, in terms of cultural heterogeneity or complexity, the Igbo culture area has been sub-divided into as many as five units with further differentiation within each unit:

1. Northern Igbo or Onitsha Igbo, including Nri-Awka, Enugu/Elugu, and Onitsha.
2. Southern or Owerri Igbo including Isuama, Oratta-Ikwerre, Ohuhu-Ngwa and Isu-item.



It therefore becomes necessary to engage with traditional institutions for the promotion and protection of women's human rights vis-à-vis traditional cultural beliefs and tenets and especially as it relates to SGBV/VAGW/HR/SRHR



In times of political cultures, it is unrealistic to attempt to blanket characterisation of the entire Igbo linguistic/cultural area.

3. Western Igbo, including Northern and Southern Ika, Kwale and Riverine Igbo.
4. Eastern or Cross River Igbo, including Ada or Edda, abam Ohafia, and Aro.
5. North-Eastern Igbo or Oguuku, including the Igbo of Abakaliki and Afigbo.

In times of political cultures, it is unrealistic to attempt to blanket characterisation of the entire Igbo linguistic/cultural area. All the three types of 'stateless' structures distinguished by Horton for agricultural communities are to be found among the Igbo namely:

- 1) segmentary lineage system among a few central Igbo communities;
 - 2) the dispersed territorially defined community and
 - 3) the larger compact village.
- The prevalence of these forms of non-centralised form of political organisation among the Ibos has given the false impression that Ibos are acephalous, stateless, or republican.

However, among the Ibos, there exists a large variety of centralised forms of government in Aba, Onitsha, Osamari, Oguta, Asaba, Aguleri, etc.⁹⁹

It is pertinent to show that

traditional institutions exist in all parts of Nigeria and that they wield so much influence on their subjects.

It therefore becomes necessary to engage with traditional institutions for the promotion and protection of women's human rights vis-à-vis traditional cultural beliefs and tenets and especially as it relates to SGBV/VAGW/HR/SRHR; there can be no meaningful progress in the position of women without gaining the confidence and acceptance of traditional institutions in the area(s) that concerns women.

However, a key issue in women's human rights is the concept of patriarchy. Patriarchy is basically referred to as male domination and with the power relationships by which men dominate women. Patriarchy as an ideology argues that society is pervasively patriarchal (men hold the power and women are secondary).¹⁰⁰

A cursory look at political institutions in Nigeria buttresses the notion that men hold the power and women are secondary; while there may be few ethnic groups where women hold political power such as the Yorubas; all other groups have no place for women in the political structure, this lies the conundrum in addressing



It is believed that once traditional institutions are persuaded of a thing, it becomes easy to convince the people in that domain.



The role of traditional institutions becomes very important in addressing entrenched traditional cultural beliefs and tenets and their effects on women.

women's human rights.

The role of traditional institutions becomes very important in addressing entrenched traditional cultural beliefs and tenets and their effects on women, this is because the traditional rulers understand the culture of their people as they are the custodian of culture, it is important that women's human rights advocacy groups court their friendship towards determining and putting forward strategies and programmes at the local level to address issues that concerns women.

It is believed that once traditional institutions are persuaded of a thing, it becomes easy to convince the people in that domain. Traditional institutions comprising of Kings and Elders wield a lot of influence among the people, a good understanding of this group on the ills of SGBV/VAWG/HP/SRHR in the society and, as it affects women who are daughters, sisters and mothers can change the perspective of the average person in the locality towards the eradication of such practices.

It therefore becomes necessary that non-governmental organisations, government, and researchers

in conducting research must bear in mind, their influence.

A good knowledge of SGBV/VAWG/HP/SRHR by the holders of traditional institutions will assist in the realisation of SDG goals, this is because traditional rulers are closest to the people and can easily sway their subjects in accepting what many will term as 'alien'. If an Oba or Obi believes in the course of women, it is easy to change the attitudes of his subjects towards women and girls' sexuality and reproduction by enlightening his subjects on the impacts of gender-based violence which can trigger health related issues. Every society is built on a set of values and norms, the traditional set-up recognises duty and responsibility of individuals in the community.¹⁰¹

It is on this premise that women's human rights will be 'sold' to traditional institutions because everyone has a responsibility towards one another; thus, the society has a responsibility to women and girls to accord them the rights which accrue to them by virtue of humanity. Development should not be seen in terms of physical structure alone. As Sen argues;

Development is political freedom, economic facilities, social opportunities,



Development in its simple terms connotes ‘the wealth of the nation which the citizenry has access to and benefits in all spheres of life.



When traditional institutions embrace the notion of human dignity translating in jettisoning patriarchal conservative values and attitudes that limits women and girls; then the self-confidence and self-esteem of women and girls are enhanced, as they will no longer see themselves as second class citizens in the society.

transparency guarantees and protective security.¹⁰²

Adedeji defines development as a collective responsibility in which all have a share in its labour as well as its fruits.¹⁰³

Development in its simple terms connotes ‘the wealth of the nation which the citizenry has access to and benefits in all spheres of life.¹⁰⁴ The manifestation of traditional cultural beliefs and tenets in SGBV/VAGW/HR/SRHR impedes development for women in all spheres; as these practices are limitation factors in human development.

Culture is not static; it is very dynamic and traditional institutions have also been responding to the exigencies of modern life and accommodating new nuances. It therefore becomes important for traditional institutions to not only embrace certain aspects of modern life but, its totality, which includes the emancipation of women from traditional cultural beliefs and tenets which inhibits growth and impeded progress manifesting in SGBV/VAGW/HR/SRHR. We are aware that no meaningful change can take place in a society without the cooperation of traditional institutions because, primarily, they are the enhancers and

influencers of progress/development in their community.

Thus, when traditional institutions embrace the notion of human dignity translating in jettisoning patriarchal conservative values and attitudes that limits women and girls; then the self-confidence and self-esteem of women and girls are enhanced, as they will no longer see themselves as second class citizens in the society.

Traditional institutions therefore have a role to play in stemming and eradicating SGBV/VAGW/HR/SRHR in our various societies, their position is critical and needed in the fight towards equality of the sexes.

Specific Recommendations

Traditional institutions as custodians of culture and the nearest to the people must be engaged with, towards understanding human rights and women’s human rights in the 21st century, their position in the society necessitates that they have a voice worth listening to. Once traditional institutions have been persuaded, it becomes easy for the subjects to follow the dictates of the authority.

Consultative Meetings with Traditional Institutions.

Traditional Africa and Nigeria is hierarchical in structure, order follows top-down in our cultural societies, it is imperative that traditional institutions be consulted and enlightened on women's human rights and practices that affects such rights in their community, especially harm (s) caused by SGBV/VAWG /HP /SRHR because of rigid traditional cultural beliefs and tenets in their community and the nation at large.

Human Rights Education of

Traditional Rulers

There is need for non-governmental organisations, researchers, and development agencies/partners to educate traditional rulers on human rights ethos, and women's human rights generally and specifically to their sphere of influence (their domain), without adequate enlisting traditional institutions in the fight for equality, the quest for women's human rights may be a mirage in Nigeria after all.



Women's human rights are still not popular with many Nigerians, who see human rights norms as western and alien to our culture

General Recommendations



Globally, attention has been focused on women's rights; the United Nations have set aside March 8 of every year as 'International Women's Day'. Nigeria has been active on the international plain on women's rights.

The idea of 'women's human rights' owes its success and spread to the fact that there is a prosaic and revolutionary movement globally; the incorporation of women's perspectives and lives to human rights standard and practice forces the recognition of failure of countries worldwide to accord women the human dignity and respect they deserve as human beings.¹⁰⁵

Globally, attention has been focused on women's rights; the United Nations have set aside March 8 of every year as 'International Women's Day'. Nigeria has been active on the international plain on women's rights.

For example, Nigeria attends Committee of the Status of Women yearly, she celebrates the international women's day every March 8. Yet, the lives of many women are diametrically opposed to human rights instruments.

What this shows is that there is more work for the government, the non-governmental organisations, and the society at large in the realisation of

women's rights. To this, I now turn.

Promoting Women's Human Rights through Government's Intervention

It needs repeating that Nigeria is a signatory to many international human rights instruments and thus, she is obliged to fulfil the conditions spelt out in these instruments. For example, Nigeria is a party to the Women's Convention, the African Charter, and the Maputo Protocol etc., likewise the 1999 Constitution which forbids discrimination in any manner for any citizen of Nigeria, and this includes women.

Nigerian women are real citizens of Nigeria and thus, are entitled to enjoy rights as members of humanity. However, the experience of most women (educated or illiterate, rural or city dweller) is that certain traditional cultural beliefs and tenets limit the enjoyment of these rights, and the state seems to be powerless; what is needed is the political will of the government to take to task any violator of the rights of women whether in the public or private



The protection of women's human rights concerns all citizens and thus, it is important for all citizens to be abreast of human rights norms through self-education; no one should hide under culture to impede the rights of another.

sphere. Nigeria should as a matter of urgency transform all international instruments pertaining to women into Nigerian legislations, these are the Women's Convention and the Maputo Protocol.

Non-Governmental Organisations (NGO's)

There is no doubt that the level of awareness of human rights norms in Nigeria has been spearheaded by non-governmental organisations. However, it is pertinent that NGOs cannot afford to be ambivalent and complacent because there is still a lot on ground to be possessed.

Women's human rights are still not popular with many Nigerians, who see human rights norms as western and alien to our culture; what is required is a continuous campaign on women's human rights through constant education through pamphlets, radio jingles and drama,

workshops, seminars, and symposia, till the society is saturated with the idea.,

The Nigerian Society

Those who violate women's human rights are mostly male individuals (in some cases, we have women violators and this is mostly found in cases of FGM and Widowhood Practices) which incidentally, is an irony. The state could also be a violator of women's human rights through overt and covert actions of negligence and laissez-faire attitude to women issues.

The protection of women's human rights concerns all citizens and thus, it is important for all citizens to be abreast of human rights norms through self-education; no one should hide under culture to impede the rights of another. In the 21st century, ignorance of the demand for women's human rights is an aberration and cannot be excused in any way.



Women's human rights are still not popular with many Nigerians, who see human rights norms as western and alien to our culture

Conclusion



The struggle for women's equality is part of the struggle for a better world for all human beings and all societies.

In this treatise, an attempt has been made to examine the divergence of women's human rights with traditional cultural beliefs and tenets in Nigeria and its impact on SGBV/VAWG/HP/SRHR. It observes that on paper, women have rights, as Nigeria is a signatory to many international human rights instruments which focus on women.

However, traditional cultural beliefs and tenets tend to limit the enjoyment of these rights on the part of women thus, translating into practices which negate women's human rights and comes out in form of sexual gender-based violence, violence against women and girls, and negation of sexual reproductive health and rights pertaining to women.

The inability of Nigerian women to have adequate protection of legal rights necessitates the intervention of

government through political will, traditional institutions by enlightening their subjects on harmful traditional practices and the continued work of non-governmental organisations on the promotion and protection of women's human rights and the acceptance of the society towards the rights of women. In essence, women's rights are human rights and there is need for urgent promotion and protection of women's human rights; it is a legal and moral imperative.

Finally, let us end by quoting Boutros Boutros-Ghali:

Without progress in the situation of women, there can be no true social development. Human rights are not worthy of the name if they exclude half of humanity. The struggle for women's equality is part of the struggle for a better world for all human beings and all societies.¹⁰⁶



It observes that on paper women have rights, as Nigeria is a signatory to many international human rights instruments which focus on women.

References

1. Feminist Legal Scholar with the University of Lagos Nigeria
asikia.whYTE@gmail.com/rige@unilag.edu.ng
2. MOU Gasiokwu, Human Rights: History, Ideology and Law (Jos: FAB Educational Books 2003) p. iv
3. ibid
4. D L Shelton, Advanced Introduction to International Human Rights Law (Cheltenham, UK: Edward Elgar 2014) p.1
5. Fiftieth Anniversary of the Universal Declaration of Human Rights 1948–1998 ([New York: United Nations Department of Public Information DPI/1937/G-98-00430](http://www.un.org/directories/publications/universal-declaration-of-human-rights/fiftieth-anniversary-of-the-universal-declaration-of-human-rights-1948-1998)) February 1998–20M
6. A Atsenuwa et al, Human Rights Made Easy 3rd Edition (Lagos: Legal Research & Resource Development Centre 1999) p.3
7. E Kisaakye, ‘Women, Culture and Human Rights: Female Genital Mutilation, Polygamy and Bride Price’ in Wolf Benedek et al the human rights of women: international instruments and African experiences (London: Zed Books 2002) p.268
8. Charlotte Bunch and Samantha Frost, ‘Women’s Human Rights: An Introduction’ Global Women Issues and Knowledge (London: Routledge International Encyclopaedia of Women 2000) p.1 see also <https://cwgl.rutgers.edu/globalcenter/whr.html> accessed 23 August 2021
9. Women’s Human Rights: Step by Step (Washington DC: Women, Law &Development International 1997) p.2
10. D Gierycz, ‘Human Rights of Women at the Fiftieth Anniversary of the United Nations’ supra note 7at p.30
11. John Ayoade and Adigun Agbaje, African Traditional Political Thought and Institutions (Lagos: Centre for Black and African Arts and Civilisation CBAAC 1989) see also, M A Ali, ‘An Overview of the Role of Traditional Institutions in Nigerian Society’ Asia Proceedings of Social Sciences 4 (3) 55–58 see also J Igwubor, ‘Traditional Institutions and Nation Building: The Role of Traditional Rulers in the Maintenance of National Security for Sustainable Development’
<https://dx.doi.org/10.4314/ujah.v2i4.12> accessed 10 September 2021;
12. Supra note 4 at p.12
13. <https://www.un.orgeruleoflaw/thematic-areas/humanrights/equality-and-non-discrimination> accessed 24 August 2021
14. Supra note 8
15. ibid
16. B.B Lockwood (ed) ‘Women’s Rights: A Human Rights Quarterly’ Reader (New York: John Hopkins University Press 2006)
17. A Ilumoka, ‘African Women’s Economic, Social and Cultural Rights: Toward a Relevant Theory and Practice’ in R Cook (ed) Human Rights of Women: National and International Perspectives (Philadelphia: University of Pennsylvania Press 1994) p.311

18. Supra note 8
19. G Linsenbard, 'Women's Rights as Human Rights: An Ontological Grounding' in Diana Fox and Naima Hasci the Challenges of Women's Activism and Human Rights in Africa (New York: Edwin Mellen Press 1999) p.83
20. A Ige, 'Nigerian Laws and Gender Disparity' part of an on-going research in Feminist Legal Theory Group of the University of Lagos Nigeria
21. Cambridge International Dictionary of English (Cambridge: Cambridge University Press 1995) p.334
22. Ibid at p.1500
23. Jack Donnelly and Rhoda Howard, International Handbook of Human Rights (Santa Barbara, California: Greenwood Press 1987) p.1
24. UNHCR Emergency Handbook <https://emergency.unchr.org> accessed 27 August 2021
25. T Johnson, 'Meeting the Challenge to End Gender-Based Violence' in Gender and Human Rights in the Commonwealth: Some critical issues for action in the decade 2005-2015 (London: Commonwealth Secretariat 2004) pp.113-114'
26. International Dimension of Violence' text of a presentation by C Bernard, Director of Austria Ludwig Boltzmann Institute of Politics 1986 at p.26 see also Violence Against Women CIRRDDOC Public Education Series No.8 (Enugu: Fourth Dimension Publishers 2002) p.9
27. Supra note 24 see also World Development Report 1993: Investing in Health (New York: Oxford University Press/World Bank 1993)
28. Economic and Social Council, 1992
29. Adopted by the 2nd Ordinary Session of the Assembly of the Union on 11 July 2003 at Maputo Mozambique and came into force on 25 November 2005
30. <https://www.oxfam.org/en/take-action/campaign/say-enough-violence-against-women-and-girls/violence-against-women-and-girls-enough-enough> accessed 25 August 2021
31. Supra note 25 at p.9
32. Cap A9, Laws of the Federation of Nigeria, 2004
33. Chapter 4 of the 1999 Constitution of the Federal Republic of Nigeria
34. Chapter 2 of the 1999 Constitution of the Federal Republic of Nigeria
35. I Okagbue, Women's Rights are Human Rights (Lagos: Nigerian Institute of Advanced Legal Studies 1996) p.1-2
36. C Obiagwu, 'International Human Rights Framework: A Challenge to Nigerian' in Chima.C Nweze and Oby Nwankwo (eds) Current Themes in the Domestication of Human Rights norms (Enugu: Fourth Dimension Publishers 2003) p.57
37. World Conference on Human Rights: The Vienna Declaration and Programme of Action June 1993 (New York: United Nations 1995) p.34
38. Sexual and Reproductive Health and Rights: An Essential Element of Universal Health Coverage (New York: United Nations Population Fund 2019) p.8
39. N Aniekwu, Reproductive Health Law: A Jurisprudential analysis of Gender Specific Human Rights for the African Region (Benin City: AMBIK Press 2011) p.19

40. R Cook, 'International Human Rights and Women's Reproductive Health' Studies in Family Planning Vol.24, No.2 (Mar-Apr 1993) p.73
41. 'Chapter Seven: Reproductive Rights and Reproductive Health' Programme of Action: Adopted at the International Conference on Population and Development in Cairo September 5–13, 1994 (New York: UNFPA 2004) p.45
42. Beijing China 4–15 September 1995
43. Supra note 37 at p.10
44. Sexual and Reproductive Rights and health <https://www.ohchr.org> accessed 27 August 2021
45. Ibid
46. McDougal, Lasswell and Chen, 'Human Rights for Women and World Public Order: The Outlawing of Sex-Based Discrimination' (1975) 69 American Journal of International Law at 498–500
47. Supra note 34 at p.3–4 see also United Nations Focus on Women Series, 'The Girl Child' DPI/1658/Wom-95-16828 May 1995
48. Supra note 8
49. J Akande, "Women and the Law" in A Obilade (ed) Women in Law (Lagos: Southern University Law Centre and Faculty of Law University of Lagos 1993) p.27
50. R Wallace, International Law, Fifth Edition (London: Thomson Sweet and Maxwell 2005) p.26
51. ibid
52. Articles 27–29 of the African Charter on Human and People's Rights adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev.5 see also T Dean, 'Cultural Approaches to Human Rights in Africa: Looking for Rights Principles and Practice' supra note at p.143
53. Adopted by the 2nd Ordinary Session of the Assembly of the Union Maputo, 11 July 2003
54. A Bunting, 'Theorizing Women's Cultural Diversity in Feminist International Human Rights Strategy' Journal of Law and Society, Vol.20 No.1 Feminist Theory and Legal Strategy (Spring 1993) p.8
55. C Ake, 'Human Right's: The African Context' Today, Vol.34 No.142 pp.5–13 NB: Claude Ake was a Professor of Political Theory at the University of Port-Harcourt, Nigeria
56. S.12 (1) of the Constitution of the Federal Republic of Nigeria 1999
57. G Williams, Learning the Law Fifteenth Edition (London: Thomson Reuters & Sweet & Maxwell 2013) p.2
58. A Atsenuwa, Feminist Jurisprudence: An Introduction (Lagos: Florence & Lambard (Nig) 2001) p.83
59. Supra note 8
60. Adopted in San Francisco in 1945, entering into force on 24 October 1945.
61. Adopted and Proclaimed by General Assembly resolution 217 A (111) 10 December 1948
62. Entered into force in 1976 after the needed ratification see also J Donnelly, International Human Rights Second Edition (Colorado: West View Press 1998) p.38 Adopted 18 December 1979, entered into force 3 September 1981
64. R Smith, International Human Rights Third Edition (Oxford: Oxford

- University Press 2007) pp.324, 180
65. Supra note 62 Article 1
 66. <https://www.undoc.org/en/A/RES/48/104> accessed 29 August 2021 (a Resolution of the General Assembly of the United Nations 23 February 1994)
 67. Entered into force 1986. Nigeria has also transformed the Charter into her Law
 68. Supra note 28
 69. Article 1(f) of the Maputo Protocol
 70. Supra note 62 at p.324-325
 71. Explanatory to note to the Act
 72. e.g., Lagos State 2007, Ekiti State 2011, Enugu State 2019
 73. Supra note 34 at p.28
 74. <https://www.merriam-webster.com/dictionary/women> accessed 29 August 2021
 75. A Atsenuwa, 'Women's Rights within the Family Context: Law and Practice' supra note 48 at p.117
 76. <https://www.unicef.org> accessed 31 August 2021
 77. I Nnadi, 'Son's Preference-A Violation of Women's Human Rights: A Case Study of Igbo Custom in Nigeria' Journal of Politics and Law Vol.6 No.1 (2013)
 78. A Atsenuwa, Women's Rights as Human Rights: The Nigerian Experience (Lagos: Legal Research & Resource Development Centre 1995) p.51
 79. Ibid
 80. VB Meyer-Rochow, 'Food taboos: their origins and purposes' Journal of Ethnobiology and Ethnomedicine no.18: 2009
 81. CE Onuorah and JA Ayo, 'Food taboos and their nutritional Implications on developing nation like Nigeria- a review (2003) In AGRIS 2014 Journal of Food and Agricultural Organisation of the United Nations
 82. B Owasanoye, 'Prospects for the Socio-Legal and Economic Empowerment of Widows in Nigeria' in Bolaji Owasanoye and Babatunde Ahonsi (ed) Widowhood in Nigeria: Issues, Problems and Prospects (Lagos: Fredrich Ebert Foundation and Human Development Initiatives 1997) p.123
 83. Ibid at p.122
 84. L Erinosho, Rights and Widowhood Rites in Nigeria Monograph Number 3 (Lagos: Inter-African Committee (Nigeria) on Traditional Practices affecting the Health of Women and Children 2000) p.1
 85. SB Oloko, 'A Panoramic view of Widowhood in Nigeria supra note 81 at p.11 see also 'Strategies for Improving the Delivery of Social Development Services in Nigeria (Lagos: Federal Ministry of Culture and Social Welfare) p.50 section 12.5
 86. Supra note 77 at pp.52-53
 87. BB Orubebe, "Comparative Reproductive Health Law: Gender Inequality and the Spread of HIV/AIDS in Africa Recent Trends in the Right to Health: A Case for Co-ordinated Judicial Approach" in O Nwankwo (ed) Gender Inequality and Reproductive Rights: A Case for Coordinated Judicial Approach (Enugu: CIRRDOC/Fourth Dimension

- Publishing Co 2004) p.29
88. I Okagbue, 'The Legal Rights of Widows in Nigeria' *supra* note 81 at p.80
 89. Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, and Zamfara.
 90. Criminal Law of Lagos State 2011
 91. West Africa Brief SWAC/OECD 2019
 92. C Mumma, 'Reconciling Competing Rights' *supra* note 24 at p.66
 93. Paragraph 8 of the Preamble and Arts. 2 and 18.3 of the African Charter
 94. Much Reliance on Marc Stauch & Kay Wheat with John Tingle, Sourcebook on Medical Law (London: Cavendish Publishing Limited 1998) see also American Psychiatric Association Bulletin <https://www.psychiatric.org/what-is-mental-illness> accessed 3 September 2021, see also Encyclopaedia Britannica <https://www.britannica.com/sociology&society> accessed 3 September 2021
 95. U Umozurike, Introduction to International Law (Ibadan: Spectrum Books Limited 2001) p.7
 96. Kehinde O Osakede & Samuel O Ijimakinwa, 'Traditional Institutions and the Modern-Day Administration of Nigeria: Issues and Prospects' *Journal of Research and Development* Vol.2 No.9 2015 p.35
 97. Ibid see also N Fadipe, *The Sociology of the Yoruba* (Ibadan: Ibadan University Press 1970)
 98. Ibid see also S Fajonyomi 'Governing the Grassroots: An Analysis of Decision-making in Nigerian Local Government' (Ibadan: Olu-Akin Publishers 1997)
 99. I Okafor, History for Senior Secondary Schools (Onitsha: Jet Publishers 1989) p.61
 100. V Beechey, On Patriarchy, *Feminist Review* (1979) 3, 66, see also B Fox, 'Conceptualising Patriarchy' *Canadian Review of Sociology*, Volume 125 Issue 2 May 1988
 101. K Mwenda, 'Deconstructing the Concept of Human Rights in Africa' in 25 *Alternative L.J.* 292 (2000)
 102. M.J Trebilcock and M.M Prado, *Law and Development: Elgar Advanced Introduction* (Cheltenham, UK: Edward Elgar 2014) p.3
 103. A Adedeji, Presidential Address at the 1972 Annual Conference of the Nigerian Economic Society in Ibadan
 104. UNDP, The Human Development Index (HDI) in Human Development Reports available at: <https://hdr.undp.org/en/reports> accessed 11 July 2016
 105. *Supra* note 8
 106. Former Secretary-General of the United Nations, UN Pamphlet, 'The United Nations and the Status of Women: Setting the Global Agenda' DPI/1672/Wom-May 1995



CEWHIN

Centre for Women's Health and Information (CEWHIN)

34, McNeil Road, Off Montgomery Road, Sabo, Yaba, Lagos State.

E-mail: info@cewhin.com, cewhin@yahoo.com

Tel: +234 907 418 7490 | Website: www.cewhin.com

@cewhin @cewhin @cewhin_ng @cewhin