

SOCIO-CULTURAL ATTITUDES OF IGBOMINA TRIBE TOWARD MARRIAGE AND ABORTION IN OSUN AND KWARA STATES OF NIGERIA

Dr. Adeleke Gbadebo Fatai

(B.Sc. University of Ilorin, Ilorin-Nigeria); (LLB. Lead City University, Ibadan- Nigeria); M.Sc University of Ibadan, Ibadan-Nigeria; PhD. University of Ibadan- Nigeria)

ABSTRACT: *Abortion has been a social menace and its assessment depended on one's socio-legal views. Past scholars had concluded that abortion is either a felony or homicide; there is no known empirical study on socio-cultural implications of abortion to marriage in Igbomina tribe in Nigeria. Questionnaire was administered to 1036 respondents, 108 in-depth interviews were conducted and 156 Focus Group Discussions were held. Most (99.8%) respondents were not involved in abortion because 81.2% described induced abortion as a taboo. Majority (78.3%) respondents have seen more than forty women who died from miscarriage in traditional shrines and 59.7% passed through one-miscarriage or pregnancy complications but denied access to abortion. Any form of abortion resulted in marriage divorce, banned from eating natural foods, married outside the clan or total debarred from entry the land. The study found that only positive counseling, informational and educative services could bring about attitudinal change.*

KEYWORDS: Abortion, Socio-cultural, Attitude, Marriage, Igbomina tribe,

INTRODUCTION

Abortion may occur intentionally or naturally but the practice of intentional destruction of life or internal expulsion of an unborn child (abortion) seems to have become more popular and rampant among young girls nowadays. Thus, in spite of the relevant sections in criminal laws in Nigeria that prohibited abortion, a large number of women every year seek abortion in medical hospitals and many in unsafe places. This thereby leads to avoidable deaths or complications from the procedures.

Different definitions given to the concept were based on their perspective and knowledge of law, but there is no acceptable one-fits-all definition of the concept. Cunningham (2010) defined abortion as 'a fetus or embryo removed or expelled from the uterus during the first half of gestation—20 weeks or less, or in the absence of accurate dating criteria, born weighing less than 500 gm.. Scholar like Katz (2007) also regarded abortion as the intentional destruction of the life of an unborn child or the internal expulsion of an unborn child from the womb other than for the principal purpose of producing a life birth or removing a dead fetus. However, some other scholars like Archibong (1991) and Ladipo (2014) put the concept of abortion as simply a deliberate ending of a pregnancy at its early stage or procedure to induce the premature expulsion of a fetus.

Section 280 of the Nigeria Criminal Code focused and centered much on the intent of a woman as a parameter and it becomes unlawful if abortion not carried out for saving the life of a pregnant woman. However, scholars like Renne (1997) and Shah and Ahman (2009) emphasised much on the legal interpretation and the categorising of the concept of abortion as felony and homicide offences. The Offences against the Person Act (1837), the Infant Life (preservation) Act (1929), the Abortion Act (1967), Human Fertilization and Embryology Act (1990) in England have laid great emphasis on the criminality of abortion as a single felony. Generally, abortion is permitted only if a pregnancy is unwanted and considered injurious to the physical or mental health of the pregnant woman. Looking critically on various Acts in Europe and laws in Nigeria in particular, any person who aborts a pregnancy at embryo is thereby destroying the life of a child unborn and, is equally guilty of felony. The laws relating to abortion are too strict and were enacted by the British about 100 years ago but as the society grows, many people claimed it has become unfashionable and outmoded. With the nature of these laws, many citizens perceived an act of abortion as useless and not modern in the eyes of men. In less-developed countries such as Nigeria, the Criminal Code states clearly that 'the act of abortion is illegal' and Section 228 states thus:

Any person who, with intent to procure miscarriage of a woman whether she is or is not with child, unlawfully administers to her or causes her to take any poison or other noxious thing or uses any force of any kind, or uses any other means whatever, is guilty of a felony and is liable to fourteen years.

Section 229 went further to compliment the previous section that:

Any woman who, with intent to procure her own miscarriage whether she is or is not with child, unlawfully administers to herself any poison or other noxious things or uses any force of any kind, or permits any such thing or means to be administered or used to her is guilty of a felony and is liable to imprisonment for seven years.

In addition, Section 230 states further that:

Any person who unlawfully supplies to or procures for any person anything whatever, knowing that it is intended to be unlawfully used to procure the miscarriage of a woman whether she is or is not with child, is guilty of felony and is liable to imprisonment for three years.

The mentioned sections of the law are also reflected in Section 235 of the Penal Codes in the Northern parts in Nigeria with the same punishment but with an option of fine. Since 1990, Islamic criminal laws have been codified into statutory in the northern parts of Nigeria unlike their common conventions. In short, the major statutes relating to abortion in Nigeria presently are the Criminal Codes of the Southern States and the Penal Codes of the Northern States. Though the criminal law, which is highly statutory law remain the main sources of law fully relating to abortion in Nigeria.

Looking critically at the different approaches to the definition of abortion by scholars such as Archibong (1991) and Okonofua (2006), one can easily identify three major issues. The first issue is that the acts must be a deliberate one with a clear intention to abort the pregnancy. The second

critical issue is that the action must target the destruction or expulsion of the fetus to prevent the fetus from developing to a mature stage. Lastly, it must not be an action to remove the dead fetus to save the life of the mother. Although, all other schools of thoughts criticised every phrase of the law on the abortion that a woman has the right to decide together with the physician whether to carry out an abortion or not and that the law prevents women's rights to life and privacy. Other reasons were that young people carried out abortion nowadays because of their educational advancement, societal and environmental ridicule, economic ability, and fear of being married at tender years (Ladipo, 1986). The human rights activists registered their discomfort on the abortion law and stated that the rights to perform abortion is a personal decision and too private for the state to intervene.

Many divergent views on this concept of abortion, Sedgh, Singh, Shah, Åhman, Henshaw and Bankole (2012) and United Nations Development Programs (1996) categorised views on abortion into three schools of thoughts viz: the pro-choice, the moderate pro-life, and the extremist. The pro-choice groups believe strongly that a woman's decision to carry a pregnancy to term is a private choice that should not be interfered by the state or law. This school of thoughts claimed that women should control over their pregnancies and have legal access to abortion. This group bitterly criticises the state over unequal treatment to control over their reproductive functions like men, and is committed to the constitutional rights to privacy and anti-abortion claiming that abortion law interfering with those rights to privacy. The set of moderate pro-life movements believed that the fetus is a person with rights equal to those of other people. However, many in this school of thoughts permitted abortion only when pregnancy affecting the health of the mother or has resulted from rape. The extremist groups think in the same direction with moderate but believe in the use of civil disobedience to prevent abortion procedures and to save or rescue the lives of the unborn. The position of scholars differed on abortion and many related it to complex ethical, moral, philosophical, biological, and legal issues that surround abortion (Sharon, 2002). In order to arrive at this decorum, Risen and Judy (1998) believed that religious beliefs and ethics determined personal opinion on abortion and awareness of women's legal knowledge and attitude.

In Nigeria, there was a little awareness on the abortion laws among people in the rural areas in 1980s until various professionals, elites, press and media, non-governmental agencies, women politicians and academics combined to agitate for drastic reforms. Many of them had witnessed deadly complications resulting from illegal abortions and the fear from strict laws on pregnant women affected with all sorts of epidemic to abort (Berter, 2004). Others ginged with high rate of unsafe abortions in both rural and urban cities and death rate because of this act. Generally, the rural dwellers have little knowledge on the struggle of activists on the laws of abortion but their thinking is always shaped by their environment and religious beliefs. Until recently, when Ladipo's (2014) study indicated that about 10,000 Nigeria women, single and married die annually from unsafe abortion. In Nigeria today, the mortality ratio is 576 per 100,000 birth (National Center Health Statistics, 2013) and approximately 100,000 Nigerian women, single and married, die annually from unsafe and clandestine abortion; many pregnant women died in the prime of their lives. Also, Mitsunaga, Larsen and Okonofua (2005) indicated that about 34000 women and girls died in Nigeria every year as a result of complications resulting from abortion. In painful study of Henshaw, Singh, Oye-Adeniran, Adewole, Iwere and Cuca (1998), the finding showed that each year in Nigeria, women obtain approximately 610,000 abortions, a rate of 25 abortions per 1,000

women aged between 15 and 44 years. Henshaw et al. (1998) further found that an estimated 40% of abortions are performed by established standard health facilities and 60% performed by non-physician providers.

Statement of the Problem and Significance of the Study

The world-estimated record showed that 40 million abortions were carried out yearly while 20 million unsafe abortions were performed annually World Health Organisation (1998) while about ninety percent of unsafe abortions were in developing countries. Out of this total number of abortions, about one-third of all abortions worldwide were illegal and women who lost their life in the process each year ranged from 70,000 to 200,000 and 5 million hospital admission per year globally (Okonofua, 2006). Most painful of the estimated deaths (99%) as estimated by World Health Organisation are in the developing world. Nigeria is under-developed and characterised by poor health service to a teeming population, rural and cultural societies combined with legal restriction. From these data, one can easily deduce that there is high death rate from unsafe abortion. Statistically about 10,000 women die every year from unsafe abortions in Nigeria because many carried out this act by untrained people in unsanitary conditions. According to the Alan Guttmacher Institute (1999) nearly 456,000 unsafe abortions are carried out in Nigeria every year and it resulted to an average of 27 death recorded on daily basis. Abortion remains a major cause of injury and death among women nowadays and approximate of 20 million unsafe abortions are performed very year, which, to many believed that 97 percent of abortion took place in developing countries (Deji-Folotile, 2010). In all the countries of the world, an estimate of 68,000 deaths and millions of injuries were recorded.

Justification of the study lies on the strong view that other developed countries has upward review of their abortion laws such as: Italy (May, 1978) when woman can terminate a pregnancy by rights before 90 days, Ireland (1993) on strict medical grounds, (1993) before 13 weeks on financial and emotional problems, Spain (1985) on ground of mental health illness. Also, in England, Scotland, Wales, women can take to abortion legally up to 24 weeks of pregnancy.

Studies in the past have focused on the need for legal amendment, types of agitators from all quarters, the cultural and religious interpretations of the concept of abortion. Despite the fact that an act of abortion in Nigeria is illegal, yet the number of women who performed the procedure every year is highly significant. Though, it can be done when the life of the woman will be at risk, still remains a taboo in some parts of the country, thus people seek secret and illegal hideouts to terminate an unwanted pregnancy. However, there is no known empirical study on the importance of abortion and miscarriage among rural women in Igbomina tribe in Nigeria. Therefore, this study filled the gap of knowledge by examined socio-cultural and general attitudes toward abortion among rural women Igbomina in Osun and Kwara States, Nigeria.

Abortion Types in Nigeria and Reasons for its Commitment

Abortion, as a concept in Nigerian law, is either viewed as legal or illegal. It is legal when it is performed to save the life of the pregnant woman, prevent harm to the woman's physical, mental health, terminated in order to save a child from premature morbidity, mortality, or be otherwise disabled. It however becomes illegal when there is elective or voluntary abortion just performed at the request of the woman for non-medical reasons as stated above. Furthermore, there are three

types of abortion as regarded the study is concerned namely: the pill-induced, abortion through surgery, and African-traditional abortion methods. The abortion by pill involves taking medicines to end the pregnancy while the surgical abortion involves a minor operation and the third type refers to the use of African traditional methods such as incantation, contact with deities and local herbs. In support of African traditional approach, Ogbu (2013) found out that the quark were pulling out women intestines and in most cases they pump a toxic mixture by grinding ginger, alligator pepper, local chalk and native alum together and apply it into the woman's private part. In addition, miscarriage and premature birth can be termed as another type of abortion but once it is not intentional, it is termed as spontaneous abortion. Researchers such as Ciganda and Laborde (2003) shed more lights on the traditional method which include inserting harmful objects into the vagina, swallowing special concoctions, taking very high doses of quinine, forcefully massaging the abdomen and washing out the vagina with harsh chemicals such as bleach. Also, scholars like Ogbu (2013) and Deji-Folutive (2010) believed abortions can be classified into two types, namely the induced and non-induced abortion. Induced abortion occurs only when the pregnant mother decides to terminate the pregnancy without medical justification while non-induced occurs naturally.

Uniqueness of Cultural and Religious Attitude of Igbomina

In 1985, United Nations estimates showed that about 67% of the county's population (or two out of every three Nigerians) lived in rural areas. Despite the large number of Nigerians living in the rural areas, the rural communities and their inhabitants sank deeper into poverty, misery and despair. The rural communities were neglected while urban counterparts had an impressive standard of living, lifestyles and level of social services (Umoden, 1992).

There were several efforts in the past to eliminate this disparity such as 1986 establishment of Directorate of Food, Roads and Rural Infrastructure (DFRRI), by Decree No 4 of 1987 charged with developing, the entire rural areas of Nigeria in order to improve the quality of life of the rural dwellers. Also, Green Revolution of 1979-1983 by Shehu Shagari regime remained a central point in this direction. It had the intention to rehabilitate various categories of roads across the country, develop a national network of rural and feeder roads, in order to facilitate the movement of farm inputs and produce. It also strengthened the drive towards agricultural self-sufficiency in the shortest possible time. In addition, the government engaged in rural water schemes, rural electrification projects as well as food and housing programmes, and other enlightenment programmes in the rural areas.

Igbomina is one of the minority tribes in Nigeria and full of rural villages and towns in two local governments of Osun State (Ila and Ifedayo) and three local governments in Kwara State (Ifelodun, Isin, Irepodun) in Nigeria with about 1 million population (National Population Commission, 2006). The cultural backgrounds were distinct and too traditional when compared to Yoruba and Fulani who are major tribes in the selected States. One of the prominent cultural values was an issue of virginity. Virginity to the people of this clan was very important and crucial to their marriage institution. Virginity of a young woman remains a pride to her parents and this cultural belief is very prominent in Igbomina despite early contact with the western culture. Only the virgin ladies were married within the clan while any deflowered ones would have to marry outside the clan (Bakare, 2006). In order to buttress this further, there was a common popular proverb in the

clan that '*eko to ro a kita si ekule tabi egbe ile*', which literally means 'you cannot sell a watery pap to a close and loved neighbour'. Occasionally if a girl lost her virginity before marriage, the parents to such woman is subjected to ridicule and the highest form of embarrassment; and the stigma would be everlasting on the woman throughout her lifetime. On the religious ground, such a woman would fetch water for the gods and goddesses for a period of sixty-one days to appeal to them. Any woman caught in the act would be prevented from eating natural foods and herbs from their soil for that sanction period. However, in a situation when a woman took to abortion in their communities, the traditionalists would pass a ban on her appearance in the land (Bakare, 2006).

METHODOLOGY

Both qualitative and quantitative methods were employed to generate data for this study. For quantitative data, 1036 respondents were chosen from two States (Osun and Kwara) in Nigeria with 518 respondents in each State. Simple random approach was used to select the sample size for this study. The researcher purposively considered most rural areas in these two selected local government areas. Ila and Oke-Ila local governments in Osun State were chosen while Ifelodun and Isin local governments in Kwara State were also selected. The whole selection of respondents constituted rural women within the childbearing or pregnant age of 14-45 years of age and included were single, married, separated, divorced, widowed and unmarried women. Questions relating to the socio-geographical identity, the level of awareness of abortion law, the incidence of abortion in the rural communities and the reasons for abortion were spelt out in the questionnaire. The in-depth interviews were also used in the study, and 108 respondents were interviewed to find out their knowledge and awareness about abortion generally and laws relating to it. The in-depth interviews comprised of rural women (78) and the traditional health practitioners (30) within the study areas. In order to complement the use of other instruments, Focus Group Discussions (FGDs) were conducted with two groups: single comprised of 90 respondents and married comprised of 66 respondents. In all, 156 respondents took part in Focus Group Discussions in this study. The Focus group Discussions centered on general awareness and knowledge of women about abortion laws, the effects on marriage and the death rate in Igbomina tribes, Nigeria.

FINDINGS

The result of the finding showed that most (68.3%) respondents were not aware of any law regarding abortion in Nigeria. In confirmation of the result of the finding, data from the qualitative data indicated and reflected the opinion of Ladipo (2014) that many people in Nigeria were not aware of any abortion laws. One of the respondents jokingly said:

How can they enact a law on abortion when we lack in basic amenities in our village? Our gods and goddesses are against abortion and to abort on whatever basis is an offence here. Even in a situation when there is a miscarriage or when abortion occurred naturally, the entire village will curse the woman and when oracle is consulted, the verdict lies with the traditional herbalists (Woman/Idi-Awere Village/Ifedayo Local Government/Osun State/2015).

The finding also corroborated by one of the traditional herbalists who said:

No woman will subject herself to induced abortion here; it is an abomination in Igbomina land. The gods of our fore-fathers will strike such a person naked. Nothing like the unfortunate circumstances, but if it happened it might be as a result of her sins or parents' secret sins against the gods and the entire traditional herbalists and our fore-fathers worshippers will gather to watch the pregnant woman to death (Man/Traditional Herbalist/Idi-Ogbagba Village/Ila Local Government/ Osun State/ 2015).

The majority (81.2%) respondents viewed abortion whether induced or non-induced abortion as a wrong act, taboo and nearly 78.3% of the respondents claimed to have seen pregnant women died in traditional shrine during miscarriage without any care or modern medical attention.

In order to corroborate this result, one of the respondents interviewed said:

We are mostly idol worshippers; we are forbidden in our village to get pregnant before the wedlock time. The entire people will gather at the shrine to disgrace such a lady and her parents, if one breaks the rule. None of us has less than eight children each in this gathering and it is even a pride. Though I did abortion but not in this land. It is an abomination and ungodly practice. I left home too early to the city when I noticed the complication that my health was at stake last year (Woman/Okeaba Village/Isin Local Government/Kwara State/2015).

In addition, 59.7% of the respondents passed through miscarriage and pregnant complications but denied access to abortion through medical facilities. The findings revealed that only 0.2% of the respondents have attempted abortion in their lifetime and interviews complemented it.

Despite Section 297 that stated 'a person is not criminally responsible for performing in good faith and with reasonable care and skill a surgical operation...upon an unborn child for the preservation of the mother's life if the performance of the operation is reasonable, having regard to the patient's state at the time and all the circumstances of the case'. Any person who, with intent to procure the miscarriage of a woman, unlawfully administers to her any noxious thing or uses any other means is subject to fourteen years' imprisonment. A woman who undertakes the same act with respect to herself or consents to it is subject to seven years' imprisonment. Any person who supplies anything knowing that it is intended to be unlawfully used, to procure a miscarriage is subject to three years' imprisonment. With little knowledge and limited awareness of the people in this tribe, naturally their cultures are in support of the content of abortion laws to main extreme.

In the far village in Kwara State, a respondent lamented that hundreds of their women have lost their lives in the process because of this traditions and said:

It is a taboo to abort in this land, whether it is intention or miscarriage, it is against our gods and goddess, any woman found in this practical mess will face the sanction of community and gods, though many lost their life as a result of miscarriage but we cared not because we believed that miscarriage do occur as a result of sins committed by one's parents (Woman/Babanloma Village/Ifelodun Local Government/Kwara State/2015).

These findings were truly in line with Henshaw et al. (1998) study that rural women were not aware of any abortion laws and there was high incidence of induced abortion in Nigeria. In order

to corroborate this finding, one health traditional herbalist in one of the selected communities stated this in support of the above finding that:

No one of them listens to medical advice in this community, they are all used to local and traditional predictions, and patients/victims are often brought too late in many occasions. They confided in us in most cases because they would lose their marriages if their clan should be aware of any abortion. But this is common among married women who do not believe much in modern medication and therefore ignore, family planning (Man/ traditional herbalist/Aganju-Asaoni village/Ifedayo Local Government/Osun State/2015).

In the Focus Group Discussion, one village woman who was a community leader said proudly that:

Miscarriage of pregnant can only happened in our soil only if and only the parents of the victims sins against the gods of the land, and if it happens such a woman will be barred from our land or face divorced and deserted, depending on the verdict from our tradition oracle. It happened to my younger sister thirty-five years ago and she was barred totally from this village. She had to travel to far south to re-marry and ever since she has not enter this villages (Woman/Woman Leader/ FGD/ Kwara State/2015)

IMPLICATION TO RESEARCH AND PRACTICE

Government provides the rules and regulation to sustain the social system by establishing various institutions that impact knowledge to people, yet, there are still low level of awareness on the need for abortion during miscarriage. The Igbomina tribe upholds their culture to maxima level and considered abortion in any form as a taboo based on the internalised norms and values. More awareness and establishment of modern medication will look as tools of political structures, developments since societies develop in predictable stages, and this development depends primarily on political and social changes.

CONCLUSION AND RECOMMENDATIONS

Most women in the rural areas in Igbomina were not aware that complication may occur naturally in pregnancy. The rural women attached the miscarriage to one's sins or ancestors' offence against the gods of their land. In addition, the use of traditional medicines and medical or surgical technology was against the ethics and religious beliefs of the Igbomina in the rural areas. The findings further revealed that women preferred societal disgrace, death, and stigma to abortion within the community. Women that engaged in abortion in the clan were banned from the land and further stop from eating natural foods from their soil. Therefore, there is a need for mass enlightenment of rural communities on the effects of non-abortion on their lives during the miscarriage and complication periods.

FUTURE RESEARCH

It is pertinent to note that members of this community shared boundaries with two major tribes in Nigeria, the Yoruba and Nupe/ Hausa and geographical boundary may result into sharing of certain characteristics that were peculiar to this culture. With other segments of the society in terms of attitude toward abortion, it is necessary if the future research can caption other ethnics in Nigeria.

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