



Legal and human rights dilemma relating to sexuality education in Africa

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Abstract:

This article examines the benefits of sexuality education in schools in Africa and then considers the legal and human rights issues relating to the objection to its introduction. In doing this, the article discusses some cases that have shed light on the conflict between the exercise of the right to religion and other rights, particularly the right of young people to sexuality education. It concludes by noting that while parents do have the duty and responsibility to provide direction to their wards and children, including instruction on exercise of religion, such powers must be consistent with human rights norms and standards. More importantly, the exercise of the right to religion must be tempered with other rights, especially where harm will result to the public in strict adherence to this right.

1 Introduction

In the age of HIV pandemic, high teenage pregnancy and maternal mortality in many African countries, the need for sexuality education has become more imperative than ever. Sexual and reproductive ill health remains a major contributor to the burden of disease among young people.¹ HIV and other sexually transmitted infections, unintended pregnancy and unsafe abortion, all place huge burdens on families and communities in many African countries.² In addition, they impose an undue burden on scarce resources of governments in the region. Yet, this situation is avoidable and reducible. Although there is no universally accepted definition of adolescence and youth, the United Nations has described adolescents to include persons aged 10–19 years and youth as those between 15–24 years for statistical purposes without prejudice to other definitions by Member States.³ Young people are often exposed to sexual and reproductive ill health due to lack of information and deep-rooted cultural practices in many parts of Africa.⁴ It is believed that early introduction of sexuality education in schools will go a long way in addressing some of the sexual and reproductive health challenges facing young people in the region. However, the introduction of sexuality education in schools remains a contentious issue. One of the major objections to the teaching of sexuality education in African schools has to do with the insistence by parents that they have the responsibility of providing direction to their children and that their right to religion must be respected.

62. 62 (2001) 7 NWLR (Pt. 711) 206.
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