

# An Analysis of Poverty as a Violation of Human Right in Nigeria

Kemi Emina (Ph.D)

Dept. of Religious Studies & Philosophy. Delta State University Abraka, Delta State

## Abstract

The incidence of poverty in Nigeria has become pervasive, with over 60percent of the estimated 150million population living below the poverty line. This has necessitated the discourse that due to the pervasive poverty in the country the fundamental human right of the people was systematically been denied. The question that looms large is what is the nexus between poverty and Human right violations? This paper looks at the incidence of poverty in the country and posits that due to the massive poverty in the country, the rights of the people have been violated. Leaning towards the notion of justice as posited by John Rawls, it contends that it was inharmful for Nigerians to live in conditions that de humanizes them. Finally, having noted that there is a symmetry between poverty and violation of Human rights, what is of utmost concern now is how to apply the precepts of John Rawls that "Social & Economic inequality are to be arranged so that they are to the greatest benefit of the least advantage"

## Introduction

That Nigerians live below the poverty level presents a paradox. This is especially so as the country is the 6<sup>th</sup> exporter of crude oil and the 4<sup>th</sup> exporter of Natural gas. It is also richly blessed in other minerals and has a very rich advantage in agriculture. It is believed that a large percentage of the population live in sub human conditions that suggests violation of their natural rights. The proponents of this school of thought argue that the people are so poor that they are not in any position to demand or secure their rights. This has necessitated the debate on the relationship between poverty and violation of human rights. This paper is an attempt to find a link between the two concepts using the notion of justice as propounded by John Rawls.

## Poverty:

Claude Ake, (1987:5) noting the parlous condition of people in want argued that:

The vast majority of our people are not in this position (self sufficient). They are facing the struggle for the existence in its brutal immediacy. There is a consuming struggle. They have little or no time for reflection and hardly any use for free speech. They have little interest in choice for there is no choice in ignorance. There is no freedom for hungry people or those eternally oppressed by disease

Other great thinkers before him were even more radical in their view on poverty. Aristotle saw poverty as "the mother of revolution and crime as poverty" if Aristotle who belonged to the aristocratic class in Ancient Greece could describe poverty in such a way even without ever experiencing it, then it means that poverty must be fought.

The description of poverty by Mahatma Gandhi, the great Indian philosopher and apostle of non-violence protest 'as the worst form of violence' aptly captures the criminality in poverty and those who bring about it.

But what is poverty? Poverty can be defined simply as "a state of being poor". But for the purpose of this discourse, there is need to subdivide the term into "poverty" and "extreme poverty" to provide some clarity. In the case of poverty, most of the basic necessities which are required for physical existence are guaranteed. This, however, is not so with extreme poverty. Invariably going by this clarification, majority of Nigerians are very poor, they live below the poverty level that is, in poverty so extreme that their existence is not guaranteed.

Poverty is a level of deprivation that encompasses a shortfall and inadequacies in basic human needs, which prevent people from achieving internationally acceptable levels of well being.

Chimobi Ucha (2010:1) in apparent reference to the World Development Report 2000/2001 discussed the various dimensions of poverty to include lack of opportunity, lack of empowerment and lack of security. Ucha (2010:1) reasoned that:

The window of opportunity remains closed to the masses, and this makes them practically inactive in the society. Their lack of empowerment limits their choices in almost everything and their lack of security makes them

vulnerable to diseases, violence and so on.

The above position finds relationship in the later submission of the World Bank in 2006 when it gave a graphic and chilly explanation of poverty as:

Poverty is hunger. Poverty is being sick and not being able to see a Doctor, poverty is not having access to school and not knowing how to read, poverty is not having a job, is fear for the future, living one day at a time. Poverty is losing a child to illness brought about by unclean water. Poverty is about powerlessness, lack of representation in decision making in the society and lack of freedom to express oneself. Poverty has many faces, changing from place to place. Most often, poverty is a situation people want to escape.

President Lyndon Johnson of America in his war on poverty programme raised the question “what does this poverty mean to those who endure it? He said:

It means a daily struggle to secure the necessities for even a meager existence. It means that the abundance, the comforts, the opportunities they see all around them is beyond their grasp. Worse of all, it means hopelessness for the young. The young man or woman who grows up without a descent housing, in a hostile and squashed environment, in ill health or in the face of racial justice- that young man or woman is often trapped in life of poverty. He does not have the skills demanded by the complex society. He does not know how to acquire those skills. He faces a mounting sense of despair, which drains initiative ambition and energy.

Demas Nwoko in his book, the Impoverished Generation argued forcefully that:

The poor man is the citizen who has found himself disenfranchised from participating in the process of ruler ship in his society. He is the marginalized, often deprived, cheated, used, deceived discriminated against and so denied access to good and fulfilled life.

Presently, in Nigeria, there is wide spread poverty. It depicts a reality that actually depicts a lack of food, clothes, education and other basic amenities such that the Nigeria Bureau of Statistics disclosed that in 2011 over 60 percent of Nigerians lived below the poverty level.

Chimaobi Ucha: (2010:2) had earlier contended that several people lack the most basic necessities of life to a degree that it can be wondered how they manage to survive.

There are several effects and deficiencies associated with poverty in Nigeria. One of the main effects of poverty is poor health, as it is reflected in Nigeria’s high infant mortality and low life expectancy. Indeed poor people in Nigeria face severe health issues. Most children do not have the opportunity of being immunized and this leads to certain physical defects in some of the children. Their health has become low priority and as they have little or no choice they make do with what they can grasp.

The prevalence of the undernourished in Nigeria is about 10 percent of the population and in the last decade over 70 percent of the people live below the poverty line, especially as the prevalence of undernourished in Sub-Saharan Africa is given to be at around 30 percent over the last decade.

Invariably, given the rich natural resources, the level of poverty in Nigeria is surprisingly high. While data on Nigeria’s poverty remains scattered, there is some evidence that Nigeria’s poverty has actually become high over time especially with the latest disclosure of the Nigerian Bureau of Statistics. Nigeria ranked third in the world for the most people living with HIV/AIDS and has the third highest death rate as a result of HIV/AIDS (CIA Factbook).

Nigeria’s infant mortality rate has been estimated to be currently 99 per 1000 births which imply that Nigeria has the thirteenth highest infant mortality rate in the world (CIA Factbook).

These high infant mortality rates are mostly due to mothers not having enough money to take care of their

children. Many mothers are also ignorant of some preventive measures such as immunization and vaccines. Many children in Nigeria die as a result of preventable and curable disease, but due to inadequate health care facilities and lack of money, far too many children die off from them. Like the grown-up population, many children also lack access to safe water and sanitation, which typically lead to several diseases.

It is important to say that the critical issue in Nigeria today is not only the increasing incidence of poverty, but also the intense feeling among Nigerians that they ought to do better. This feeling is based on the considerable level of resources in their midst and the perceived lack of proper utilization of the revenue derived there in.

The Niger Delta Human Development Report for 2006 disclosed that poverty in the NIGER DELTA region had become very prevalent in the localities. This is equally true of the entire country such that the poor cannot even ekk out a living any more.

In term of natural endowment, Nigeria is one of the richest countries on earth, as there are only few countries that can boast of Nigeria's wealth, yet in terms of the quality of life, they are some of the poorest on earth. Going by the latest ranking of people living below the poverty line of about 1 dollar, over 70 percent of Nigerians can be found within that category. Every other country except Chad, Haiti, Liberia, Congo Democratic Republic, Sierra, Leone and Mozambique are better rated than Nigeria (source CIA World fact Book, January 1, 2011)

Apart from crude oil production and the large presence of natural gas, several other mineral resources also exist in the country. The climate and soil quality represent one of the widest agronomic possibilities over a land mass of about one million square kilometers. Yet her ranking in terms of Human Development index by the UNDP is 158 out of 182 countries globally (UNDP Human Development Report (1990 – 2010).

Nasir El Rufai:( 2011:1)captures Nigeria's poor in two distinct groups: the working and non working population.

Poverty is prevalent in both rural and urban areas, though large numbers of rural folk constantly migrate to urban areas in search of work. This is not unconnected with the fact that typical households in rural areas only cultivate 1 hectare of land annually which is only capable of producing about ₦80,000 worth of food crops. From this, the household may earn ₦80,000 (\$500) or ₦219 per day, for a family of 6 – 7 people. Each member of that family lives on approximately ₦32.37 per day. Supplementary income from cattle from fishing or other wage labour, does not amount to much.

Though the analysis given above by El Rufai appears grim, but a lot of truism lies in this assessment of the living condition of the Nigeria populace. The situation is even more odious for the urban poor. In search for better living conditions, the city witness an influx of migrants from the rural areas, but their condition is even made worse off. They had to contend with the harsh realities of the city, while a family of 6 – 7 persons may be holed up in a poorly ventilated dingy room; those in the rural areas operate in a friendlier healthy atmosphere. A situation captured thus:

The urban poor – mostly uneducated and unskilled migrants from rural poverty – only have their physical bodies as capital. Urban wages may be higher than the rural, (for the same kind of work, urban wages can be 50 – 100% higher), but workers sometimes end up poorer because most of their meager earnings is consumed by the higher cost of living. With the new minimum wage, the typical urban poor earns between ₦18,000 – ₦20,000 (or ₦24,000 annually). This translates to approximately ₦658 per day and in the smaller urban household of 4 would amount to ₦164 per person per day – less than the poverty line of ₦200 per day.(El Rufai 2011:)

These are frightening times, if the statistics above are factual then it means that not even the so called rich are free from the effect of poverty. For it is possible that the very poor might converge, to fight against the interest of the rich. That was what happened when the power of absolutism as represented by the monarchy was over thrown by popular uprising by the proletariats in the French revolution.

This state of affairs is at variance with the people's expectation at independence. At independence, the people expected an improved standard of living. Regrettably this expectation at independence has since paled away. Samir Amin (1990:1) puts it thus "if the 1960's were characterized by the great hope of seeing an irreversible

process of development launched through out what came to be called the third world and in Africa in particularly, the expectation is one of disillusionment. These expectations have been brilliantly summarized by J. F. Ajayi (1982:5) in his essay aptly titled “Expectation of Independence”. He said:

In so far as they appreciate what was involved in the independent movement, their basic expectation was to see an end to unpredictability and irrationality of the white man’s world. Without obvious advantage of Western education, they rejected the white man’s culture and for as long as possible, stuck to what they knew. Their notion of freedom was not an abstract ideal but a catalogue of specific wants. Freedom from unjust and incomprehensible laws and directives, return of their lands, freedom to be left alone to live their lives and seek their goals, especially with regard to land tenure and local government grouping that affected historical relationships. These want developed and become specific with each new hope and with such disastrous frustrations. Some expectations came to include improved standard of living in housing and clothing, greater turns for their labour, better transportation for exporting and marketing their surpluses, education as a means of social mobility that would ensure a better life for their children and an adequate water supply, electricity health care facilities and other such amenities of life.

However, it appears that the incidence of poverty in the country is on the increase since independence. Instead of the situation ameliorating, its severity has assumed an alarming proportion; hence those who are able to break the shackle of poverty are congratulated for “having made it”. The implication of embracing the “having made it” syndrome is that, it has thrown morality out of the life of Nigerians while corruption thrives. It means for the masses of our people, the Machiavellian principle of the end justifies the means holds sway.

In 1980, only an estimated 27 percent of Nigeria lived in poverty. By 1990, it had grown to 70 percent.

Poverty is unevenly distributed across the country. Accordingly to El Rufai, “poverty is higher in the North East and less evident in the South West. Indeed, most of the apparent ethnic and religious crises in the North and the youth violence and criminality in the south can be linked to increasing economic, inequality and hopelessness due to governance failure.” (Nasir El Rufar 2011:2)

The import of El Rufai discourse is that due to the failure of governance at all levels to better the life of the average Nigeria; the people have resorted to anything but noble. The situation has also delegitimized the government in the eyes of their people (Lancaster 1993:40). The image of the state which the citizen thus perceives is that of “hostile forces to be evaded, cheated or thwarted as opportunity permits” (Ake, 1991:38)

Having come to the conclusion that the state is a nuisance that should be avoided in their daily struggle for survival, the citizens seek and find social fulfillment “outside” the state. This is the point at which their primordial enclaves become sanctuaries to the harassed citizens; a kind of escape route in their struggle against predatory state (Uroh 1999:26).

This escape route also explains the rise in places of worship, and the worshippers. This upsurge in religious activism is not in any way indicative of hunger for things of the spirit but principally as a sanctuary for those whom the society has not taken care of ,for it is their believe that God who is the father of the orphan will come to their aid. So they throng to these places of worship to seek solace.

We have earlier noted that Nigeria has raked in a lot of money from crude oil; while that is the case, the lot of the poor has not really improved even with the new minimum wage. This is especially true of the rural and urban poor who together, account for much of Nigerian poverty.

EL Rufai (2011: 1), however, posited that, China and India have lifted more than 600 million out of poverty in the last twenty years of economic growth. In fact, the World Bank included Nigeria in the first top 15 countries with the highest incidence of poverty despite billion of dollars in oil revenues.

Many factors have being linked to the prevailing incidence of poverty (highly among these is unemployment). There is a strong correlation between unemployment and poverty. Unemployment is so pervasive in the country that the unemployment rate in Nigeria as estimated by the World Bank in 2007 was 4.9 percent and Nigeria ranked 61st across the World countries (CIA fact book).

Unemployment induced poverty tends to increase the crime rate and violence in the country. Most unemployed youth resorts to crime.

Corruption has become a common act in Nigeria and it has destabilized the political system drastically. Corruption has eaten so deeply into the government and economy that everyone seems blinded by it.

Other cause of poverty in Nigeria include, Non Diversification of the Economy and the over dependence on oil, inequality, laziness. Poor education system (Chimobi Ucha 2010:54)

### **John Rawls and the incidence of Poverty**

According to Rawls, a stable reasonable well-off society is a cooperative venture for mutual advantage. Along with cooperation, there are also conflicts among its members regarding their share of the burdens and benefits of social living. The purpose of principles of social justice therefore is to ensure that the distributions of the benefits and burdens of society is just or fair to all of its members. The basic institutions of society should, according to Rawls, be so constructed as to ensure the continuous distribution of “Social Primary Goods” to all the members of society in a fair just manner. (Rawls 1971:15)

Social primary goods”, he said, are goods which are distributed by the basic structure of society. They include rights and liberties, power and opportunities and income and wealth. Rawls argues that the distribution of these social primary goods among the members of a society is just if that distribution is made in accordance with his two principles of Justice. (Rawls 1971:15).

However, for the purpose of this paper, the fair equality of opportunity principle holds sway. The principles states that Social and Economic inequalities are to satisfy two conditions

- (A). they are to be to the greatest benefit of the least advantaged members of society
- (B). they are to be attached to office and positions open to all under conditions of fair equality of opportunity.

As seen above, the second principle of Justice is of two parts. The first part, which states that social and economic inequalities are to be arranged to the greatest benefit of the society, is known as the ‘difference people’. This principle demands that the basic structure of society should be arranged in such a way that any inequality, in terms of prospects of obtaining the primary goods, must work to the advantage of those members of society who are worse-off with respect to these primary goods.

The principle of fair equality of opportunity argues that social and economic inequalities are attached to offices and positions open to all, it moves beyond this to ensure that people with identical skills, abilities and talents enjoy equal opportunities.

Rawls position is in a sense equalitarian, with the proviso that equality is not to be achieved by worsening the position of the least advantaged. An important consequence here, however, is that inequalities can actually be just in Rawls view, as long as they are to the benefit of the least well off.

Going by Rawls position, it is wholesome to tax the very rich in the society and the proceeds used to better the lot of the poor.

### **Relationship between Poverty and Human Rights**

We have taken time to look at the incidence of poverty in Nigeria and have come to the conclusion that there is mass poverty in the country. How does this state of affairs cohere with the realization of human rights amongst her citizens?

Human rights are rights that we are supposed to have by virtue of been human being. The Encyclopedia Britannica defined “human rights as those rights specially endowed on humanity which are inalienable unalterable and eternal”

The Nigeria 1999 constitution treats human rights as a basic principle and it then behooves on the government to do everything within her power to uphold the right of man. There is a school of thought that does not believe in the universality of the concept, as they insist, it must be cultural dependent.

Claude Ake belongs to this school of thought, which believes in the full belle thesis. They opine that to talk of human rights in the midst of hunger and disease was not possible as people in want were not interested in esoteric ideas that might not put food on their table. He said:

Theirs is a total consuming struggle. They have little or no time for reflection and hardly any use for free speech. They have little interest in choice for there is no choice in ignorance. There is no choice for hungry people or those eternally oppressed. (Ake 1987:3)

Ake further reasoned that only well fed Africans who have the resources to exercise their rights do not need a bill of rights as their power secures them. The many that do not have the resources to exercise these rights are not helped by the existence of these rights. Their powerlessness dooms them.(1987:3)

However, this position of Ake does not in any way suggest or negate the fact that human rights exist. He only notes the limitation of some people in exercising their right.

Malnourishment is one of the indices of poverty; there is massive hunger in the country such that a large chunk of the annual budget is spent importing food. While majority of the populace are either unemployed or under employed, and so in the face of absence of funds to purchase food, the people are exposed to hunger and starvation thereby threatening their right to existence and their right to food.

According to the Director General of the Food and Agricultural Organization, Dr. Jacques Diouf “The most fundamental human right is the right to live, to exist, to biological integrity which is not guaranteed to the 854 millions of the hungry in the world” and this includes majority of Nigerians. In April, 2011, the Food and Agricultural Organisation, an agency of the United Nations raised an alarm that Nigeria faces imminent food crisis. According to the report, the nation’s food situation was in dire straits such that the price off foodstuffs had soared by 25 percent in 2010, compared to the December 2009 levels.

The Tribune of 28 July 2011, quoted the new Minister of Agriculture, Dr. Akinwumi Adesina as saying that Nigeria’s food import bill from 2007 to 2010 stood at N98trillion, a situation he asserted was contributing to the growing food insecurity in the country

Chimobi Ucha, (2001:54) posited that the education system in Nigeria can be regarded as a failure compared to other countries in the world. The U.N.O declaration of Human Rights states that “everyone has the right to education”. This right to education he claimed has been denied to many Nigerians, of which many of them can be considered invisible to the society now. This deprivation of education applies more to females than males because they are considered the inferior sex. Hence educating them is seen as unnecessary as they are expected to marry as early as possible.

In Nigeria, prostitution has been traced to poverty, dictated most often by the need to provide for a deprived family. This is a form of violation of Human rights and a form of exploitation in which the otherwise innocent girls go through to keep body and soul together. Many may argue that the people need not go into prostitution as there are other legitimate means of survival. But such argument is tenable in the presence of choice and availability of jobs no matter how menial. The Nigeria people are traumatized by poverty, they are in extreme want. .

### **Conclusion**

We have taken a look at the very pervasive poverty situation in the country. The situation is grim and it calls for all hands to be on deck in breaking the circle of poverty that has become the lot of the people. This realization has become even more urgent as it affects the very people we represent. Nelson MANDELA once said that, overcoming poverty is not a gesture of charity .It is an act of justice. It is the protection of fundamental human right, the right to dignity and a decent life. While poverty persists, there is no freedom’.

Therefore, going by John Rawls postulations it is in human for Nigerians to live in conditions that dehumanizes them as they presently are.

The Millennium Development Goals (M.D.G) which the country is presently pursuing might be a pipe dream if concerted efforts are not exerted to see to its full implantation

Finally, that there is symmetry between poverty and violation of human rights is not in doubt, as we have seen, what must concern us now is how to apply the precepts of John Rawls that “social and economic inequality are to be arranged so that they are to the greatest benefit of the least advantaged.”It is only when the basic issues that affect the very poor in the society are ameliorated through concerted efforts by governments that the basic right

of the individual can be guaranteed .So long as the people continue to face hunger in its brutal immediacy, they suffer human right violation

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