

# Poverty Alleviation: Threshold to the Enjoyment of Right to Adequate Standard of Living

By

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## ***Abstract***

*The right of everyone to adequate standard of living for himself and his family, including adequate food, clothing and housing, and to a continuous improved living condition is an important human right, the non-protection and enjoyment of which will adversely affects the enjoyment of other fundamental rights (e.g. right to dignity of human person and of course, right to life). However, the realization/enjoyment of right to adequate standard of living is solely dependent on person's financial status, as it entails living above the poverty line. Nevertheless, poverty and/or unemployment become one of the fundamental threats globally, and Nigeria in particular. The paper therefore, adopted a doctrinal method, where on one hand, examines the provisions on the right to adequate standard of living and the extent of its enjoyment; and on the other, assess the commitment of Nigerian government towards improving/uplifting the living condition/status of her governs; and also briefly assess the impact of poverty alleviation policies/programmes. It concludes that, although, various efforts were made by different governments at different times to alleviate poverty, most of them proved to be in adequate and/or inefficient, as most Nigerians remain poor.*

**Key words:** Right to Adequate Standard of Living, Poverty Alleviation, Empowerment, Living above Poverty Line

## **Introduction**

The prosperity of every society depends on the effective and efficient provision of welfare,<sup>1</sup> security,<sup>2</sup> education,<sup>3</sup> socio – economic<sup>4</sup> and health care services<sup>5</sup> for all, without discrimination of any kind. Meanwhile, the intellectual and socio – economic development and peaceful coexistence of every society depends on the effectiveness of policies and programmes to mitigate or alleviate unemployment and poverty.<sup>6</sup> Very high among those in needs, are the youth, who remain the vital segment of the society, with ability to work towards ensuring a greater future for the nation. Yet,

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<sup>1</sup> See for instance, the Preamble to the 1999 Nigerian Constitution (as amended) where it provides thus; “...***And to provide for a Constitution for the purpose of promoting the good government and welfare of all persons in our country...***”

<sup>2</sup> See Section 14 (2) (b) of the *ibid* where it provides thus; “***the security and welfare of the people shall be the primary purpose of government.***”

<sup>3</sup> See Section 18 of the 1999 Nigerian Constitution (as amended)

<sup>4</sup> See Sections 16 & 17 of the *ibid*

<sup>5</sup> See Section 17 (3) (c & d) of the *ibid*

<sup>6</sup> See for instance, Augustin, F.K, (2004), ‘The Social Impact of Globalization: The Scope for National Policies’, in Vivarelli, M. & Lee, E. (Eds.), *Understanding Globalization, Employment & Poverty Reduction*, New York – Palgrave Macmillan where he stresses the need to make effective policies that will make the desirable social and economic impacts.

most of the youths live below the poverty line due to unemployment, with very many of them unemployable.<sup>7</sup>

Although Nigeria is among the world largest producers of crude oil, and enormously endowed with abundant solid minerals and agricultural potentials to empower the nation for positive and meaningful change and contribution toward sustainable development;<sup>8</sup> the country is still struggling with the problem of poverty and under-development, attributable to factors, including mismanagement of human and material resources, corruption, indiscipline and lack of political will by the government to take critical decisions. Thus, despite all the resources and the large population, poverty is worsening, even as the economy is growing. Mean whilst, while few Nigerians acquire and keep what they do not even need, others continue to live in abject poverty.<sup>9</sup>

### **Poverty and Under – Development**

Though, poverty is a universal problem, it remains one of the most serious challenges in Nigeria.<sup>10</sup> However, poverty can be described as a multi-dimensional phenomenon which lacks universally accepted definition. It affects many aspects of human condition, including physical, moral and psychological.<sup>11</sup> For instance, it's economic dimension centres on nature and level of material deprivation which afflict the poor, and distinguishes them from the non-poor.<sup>12</sup> Furthermore, according to Encyclopaedia Americana, poverty is viewed from two perspectives, as signifying “money less-ness and powerlessness.” Money less-ness means not merely an insufficiency of cash, but chronic inadequacy of resources of all types to meet basic human needs, as nutrition, rest, shelter etc. Powerlessness on the other hand, refers to those who lack the opportunity and choice, and whose lives seem to be controlled by force and persons outside their control.

Poverty is therefore a vicious circle which exists when people lack the means to satisfy their basic needs. It keeps the poor in a state of destitution. Importantly and irrespective of how poverty is perceived, the poor have been described as those who cannot obtain adequate income, find stable

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<sup>7</sup> See Odeh, M.A. & Okoye, C.O., (2014), Poverty Reduction Policy and Youth Unemployment Administration Research, Vol. 3(4)

<sup>8</sup> For instance, according to the Minister of Agriculture and Rural Development Chief Audu Ogbeh, Nigeria spends over 18 Million Dollars on the importation of toothpick, 1 Billion Dollars on milk and milk products, and 600 Million on fish annually. See Eze, M., Nigeria Imports 18 Million Dollars Toothpicks Yearly, available at [www.sunnewsonline.com](http://www.sunnewsonline.com) accessed – 7<sup>th</sup> May 2019. See also Nigeria Spent 26 Million Naira Importing Toothpick from China & Germany available at [www.dailytrust.com.ng](http://www.dailytrust.com.ng) accessed – 7<sup>th</sup> May 2019

<sup>9</sup> Thus, according to World Poverty Clock produced by World Data Lab while the number of those living in extreme poverty globally dropped from 643.5 – 592.7 million within six months, the number of Nigerians living in extreme poverty increases by nearly 4 million within the same period (i.e. from 86.9 – 90.8 million). Hence, the United Nation's Sustainable Development Goal to end extreme poverty by 2030 is unlikely to be met in Nigeria.

<sup>10</sup> See Akpan, A.E., (2011), Gearing the National Economic Empowerment & Development Strategy Toward Sustainable National Development, Book of Readings, Association of Business Educators of Nigeria

<sup>11</sup> See Kankwenda, M. et al. (2000), Poverty Eradication: Where Stands Africa? UNDP Economic Limited, London, Martins, S., (2004), Defining Poverty in Nigerian Context: The Grassroots Perspective, Paper Presented at the North – East Zonal Workshop on ‘Who is Poor in Nigeria?’ International Hotel, Maiduguri – Borno State Muller, C., Censored Quintile Regressions of Chronic & Transient Seasonal Poverty in Rwander, (2002), Center for Research in Economic Development & International Trade, University of Nottingham, NG7 2RD, UK & Kwagbe, P.V., Poverty Profile & Its Determinants Among Farming Households in Borno State, (2006), Ph.D. Thesis Submitted to Department of Agricultural Economics, University of Maiduguri, Borno State

<sup>12</sup> See Orji, J.I., An Assessment of Impacts of Poverty Reduction Programmes in Nigeria as a Development Strategy, 1970 – 2005, A Dissertation Submitted to the School of Post – Graduate Studies, St. Clements University, Turks & Caicos Island

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jobs, own property or maintain healthy condition.<sup>13</sup> They lack adequate level of education and cannot satisfy their basic needs.<sup>14</sup> They are often illiterate, poor in health and have short life span.<sup>15</sup> They have no access to basic necessities of life and unable to meet both social and economic obligations, lack skills and gainful employment, and some time, lack self-esteem.<sup>16</sup> Meanwhile, poverty is a cornerstone for under – development.

On the other hand, under – development has been described by Hoffman in the following words;

*“everyone knows an under – developed country when he sees one. It is a country characterized by poverty, with beggars in the cities and villages eking out a bare subsistence in the rural areas. It is a country lacking in industries or factories of its own, usually with inadequate supplies of power and light, it usually has insufficient roads and railroads, insufficient government services, poor communications and insufficient social infrastructures.”<sup>17</sup>*

However, the problems of poverty and under – development leads to all sorts of anti-social activities and vices, like armed robbery, human trafficking, prostitution, cultism, forced labour, corruption, assassination and kidnapping, among others. Therefore, the need to intervene and improve the lives and living condition of the people becomes imperative and leads to the recognition of the right to adequate standard of living.

### **Right to Adequate Standard of Living**

The first effort to improve the living condition of all persons was made when the United Nations adopted the Universal Declaration of Human Rights,<sup>18</sup> which expressly declares that;

*“everyone has the right to a standard of living adequate for the health and wellbeing of himself and his family, including adequate food, clothing and housing, and to the continuous improved living condition.”<sup>19</sup>*

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<sup>13</sup> See Obadan, M.O., (2007), Analytical Framework for Poverty Reduction: Issues of Economic Growth Versus Other Strategies, Proceedings of the Nigerian Economic Society’s Annual Conference

<sup>14</sup> See Sancho, A., (2006), Policies and Programmes for Social & Human Development, Produced for the UN World Summit for Social Development, San Francisco: International Center for Economic Growth

<sup>15</sup> See World Bank Report 2005

<sup>16</sup> See Olayemi, J.K., (2005), A Survey of Approaches to Poverty Alleviation, Paper Presented at National Working on Integration of Poverty Alleviation Strategies into Plans & Programmes in Nigeria, NCEMA, Ibadan. See also Deng, L.A., (2005), Poverty Reduction, Lessons & Experiences from Sub – Saharan Africans, Environmental & Social Policy (ESP), Policy Working Paper Series 06 African Development Bank, where he viewed poor as those with income below the poverty line, who lack access to basic services, practical contacts and other forms of support; they live in rural areas and marginal urban zones where essential infrastructures are lacking. Thus, poor are those who lack, command over basic consumption needs, including food and non-food components. See <https://siteresources.worldbank.org/resources> accessed 18<sup>th</sup> March 2019

<sup>17</sup> Quoted by Orji, supra

<sup>18</sup> (which was the first International Human Rights Instrument unanimously adopted by the UN General Assembly Resolution 217A (III) of 10<sup>th</sup> December 1948

<sup>19</sup> See Article 25 (i) of the UDHR

This right was later elaborated by other human rights instruments, for instance Article 11 of the International Covenant on Economic, Social and Cultural Rights<sup>20</sup> (which was the reproduction of Art. 25 UDHR); Convention on the Rights of Child<sup>21</sup> which provides that;

*“states parties recognize the right of every child to a standard of living adequate for the child’s physical, mental, spiritual, moral and social development.”*<sup>22</sup>

Furthermore, Convention on the Elimination of All Forms of Discrimination Against Women<sup>23</sup> states that;

*“States parties shall take all appropriate measures to eliminate discrimination against women in rural areas...to enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity, water supply, transport and communication.”*<sup>24</sup>

In the same vein, Article 28 of the Convention on the Rights of Persons with Disabilities<sup>25</sup> sets out the right to adequate standard of living and social protection for all persons with disabilities.<sup>26</sup>

Nigeria is a party to all these human rights instruments, and importantly African Charter on Human and People’s Rights<sup>27</sup> which though, did not make explicit provision on the right to adequate standard of living, the combined reading of Articles 5 & 14 – 18 of the Charter was confirmed by the *African Commission in the Social and Economic Rights Action Center et al V Nigeria Communication 155/96*, to mean right to adequate standard of living.

Fundamentally, the right has been provided for under the Nigerian Constitution<sup>28</sup> – the provision which is the bedrock to the enjoyment of such right.<sup>29</sup> Section 16 (2) (d)<sup>30</sup> provides that;

*“the state shall direct its policy towards insuring: that suitable and adequate shelter, suitable and adequate food, reasonable national minimum living wage, old age care and*

<sup>20</sup> unanimously adopted by the UN General Assembly Resolution 2200A (XXI) on 16<sup>th</sup> December 1966 and entered into force in 1976

<sup>21</sup> Adopted by the United Nations General Assembly Resolution 44/25 annex, 44 UNGAOR SUPP (NO. 49) at 167 UN.DOC.A/44/49 (1989), entered into force in 1990

<sup>22</sup> See Article 27 of the CRC

<sup>23</sup> Adopted on 18<sup>th</sup> December 1979 by UN General Assembly Resolution 34/180, 34 UNGAOR, Supp. (No. 46), UN Doc. A/36/46, at 193 (1979) and entered into force on 3<sup>rd</sup> September 1981.

<sup>24</sup> Article 14 of CEDAW

<sup>25</sup> Unanimously adopted by UN and opened for signature on 30<sup>th</sup> March 2007 and entered into force on 3<sup>rd</sup> May, 2008

<sup>26</sup> See also Article 21 & 23 of the Convention Relating to the Status of Refugees, Article 54 of the Additional Protocol 1 to the Geneva Convention Relating to the Protection of Victims of International Armed Conflicts, Article 4(1), 16 & 19 of the European Social Charter, Article 8 of the Declaration on Rights to Development, Article 1 UD on the Eradication of Hunger & Malnutrition and Agenda 21 Rome Declaration of World Food Summit

<sup>27</sup> Adopted on 27<sup>th</sup> June 1981 OAU DOC. CAB/LEG/67/3 Rev.5, 21 I.L.M.58 (1982), entered into force 21<sup>st</sup> October 1986

<sup>28</sup> 1999 (as amended)

<sup>29</sup> Thus, Section 1 (1) of the 1999 Nigerian Constitution which provides that: **“this Constitution is supreme, and its provisions shall have binding force on all authorities and persons throughout the Federal Republic of Nigeria”**. See also *Chief T.A. Adesoye & Ors V. Governor of Osun State* (2005) 4 NWLR (pt. 950) pg. 1, *Ekulo Farms Ltd. & Another V. Union Bank of Nigeria PLC* (2006) 4 JNSC (pt. 15) pg. 641, *Aminu Tanko V. The State* (2009) 4 NWLR (pt1131) Pg. 430, & *Mr. Daniel Orhiunu V Federal Republic of Nigeria* (2005) 1 NWLR (Pt. 906) pg. 39

<sup>30</sup> Of the 1999 Constitution (as amended)

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*pensions, and unemployment, sick benefits and welfare of the disabled are provided for all citizens.*”

Also, Section 17 (3) (a)<sup>31</sup> states that;

*“the state shall direct its policy towards ensuring that – all citizens, without discrimination on any group whatsoever, have the opportunity for securing adequate means of livelihood as well as adequate opportunity to secure suitable employment.”*

It went further and declares the need to provide public assistance in deserving cases or other conditions of need.<sup>32</sup>

Meanwhile, in purely material terms, adequate standard of living implies living above the poverty line<sup>33</sup> of the society concerned, which according to World Bank includes; *‘the expenditure necessary to buy a minimum standard of nutrition and other basic necessities, and further amount that varies from country to country reflecting the cost of participation in everyday life of the society.’*<sup>34</sup>

Hence, the right to adequate standard of living is meant to establish entitlement of everyone to adequate and nutritional food, clothing, housing, medical care and necessary social services, when required.<sup>35</sup> Meanwhile, the essential point is that, everyone shall be able, without shame and unreasonable obstacles to fully participate in ordinary and every day interaction with others. very one should be able to enjoy their basic needs in conditions of dignity. No one should have to live in a condition whereby the only way to satisfy their needs is by degrading or depriving themselves of their basic freedoms, such as through begging, prostitution or forced labour.<sup>36</sup>

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<sup>31</sup> *ibid*

<sup>32</sup> See *ibid* Section 17 (3) (g)

<sup>33</sup> It is the level of income to meet the minimum living condition, i.e. the amount of money needed for a person to meet his basic needs. It changes or varies from one country to another, for instance in developed countries where there is advanced standard of living and welfare concepts, poverty line higher consumption requirements and accessibility to many goods and services. But in developing countries, the basic requirements are mostly essential consumption items needed to keep the body and soul together, i.e. to sustain life. See Karitha, U.M., What Does “Poverty Line” Means? Available at <https://www.quora.com> accessed – 18<sup>th</sup> March, 2019 See also Fosu, A.K., WHO/Poverty & Development available at <https://www.who.int/bulletin/volumes> accessed – 18<sup>th</sup> March, 2019

<sup>34</sup> However, poverty line has been defined as the monetary cost to a given person, at a given place and time of a reference level of welfare. See Martin, R., Setting Poverty Lines: Economic Foundations of Current Practices, Development Research Group, World Bank 1818 H Street NW, Washington DC 20433 available at <https://siteresources.worldbank.org/resources> accessed – 18<sup>th</sup> March 2019. It has also been used to cover the cost of basic needs approach, i.e. the cost of acquiring enough food for adequate nutrition – usually 2,100 calories per person per day – and then adds on the cost of other essentials such as clothing and shelter. See <https://siteresources.worldbank.org/resources> accessed – 18<sup>th</sup> March 2019

<sup>35</sup> See [www.humanrights.right-to-an-adequatestandardofliving.com](http://www.humanrights.right-to-an-adequatestandardofliving.com) & [www.claiminghumanrights.org](http://www.claiminghumanrights.org) accessed – 10<sup>th</sup> September, 2018

<sup>36</sup> Thus, although, the nature of socio-political environment is particularly a salient determinant of the effectiveness of transforming growth to development or poverty reduction, higher levels of inequality lower the effectiveness of growth in reducing poverty. Similarly, greater rate of political instability tends to retard the rate at which growth is transformed to human development. See Ravallion, M., Can High-inequality Developing Countries Escape Absolute Poverty? Fosu, A.K., Inequality & the Growth – Poverty Nexus: Specification Empirics Using African Data & Fosu, A.K., Transforming Growth to Human Development in Sub – Saharan Africa: the Role of Elite Political Instability (Oxford Development Study) available at <https://www.who.int/bulletin/volumes> accessed – 18<sup>th</sup> March, 2019

## Poverty Alleviation Programmes & Empowerment

The fundamental challenge facing the developing world is how to alleviate poverty and minimize income disparities between the rich and the poor.<sup>37</sup> In Nigeria however, the increasing agitations by people for better living condition and welfare, coupled with the threat of sanction from the international community forced government to recognize the need to improve the living standard of the people for peace and harmony. On this note, Nigerian government introduces number of programmes with the view to empower the nation and enable everyone live above poverty line. However, empowerment according to World Bank Report is a strategy designed to improve the economic and social life of a specific group of people.<sup>38</sup> In the same vein, Ekanem<sup>39</sup> viewed empowerment as a means to extend the benefit of socio – economic and political development in the economy to the poorest among those who seek a livelihood in rural areas.

In an attempt to improve, upgrade and uplift the living condition of all, Nigerian governments designed and introduced several programmes at different times to alleviate poverty.<sup>40</sup> For instance, in a bid to enlarge its financial inclusion agenda for all, Nigerian government introduced new initiatives to alleviate poverty, including among others; N-Power programme which was intended to enable Nigerian youths (holding any of the recognized educational certificates)<sup>41</sup> live above poverty line; Micro Enterprises Enhancement Scheme<sup>42</sup> designed to enhance the operational capacity of the existing micro enterprises;<sup>43</sup> Small Scale Enterprise Programme<sup>44</sup> designed to inculcate in the unemployed Nigerian graduates the spirit of entrepreneurship creativity and self – reliance to assist them set – up their own businesses; Enterprise Creation Fund for Graduates which provides starter packs in cash or equipment to beneficiaries of various training; Graduate Enterprise Attachment Scheme<sup>45</sup> designed to provide temporary employment opportunities for graduates; Preparation, Processing & Packaging Training Scheme<sup>46</sup> which provides training to both graduates and non-graduates with knowledge of preparation, processing and packaging agricultural and non-agricultural products in line with the international best practices; and Presidential Youth

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<sup>37</sup> See Deng, L.A., (2005), Poverty Reduction: Lessons & Experiences from Sub-Saharan Africans, Environmental & Social Policy (ESP) Policy Working Paper Series 06 African Development Bank

<sup>38</sup> See World Bank Rural Development: Sector Policy Paper – Washington DC (1975)

<sup>39</sup> Cited in Chukwuma, D.E., “The State & Empowerment Policies in Nigeria”, European Journal of Economic & Political Studies (EJEPS)

<sup>40</sup> Among which are; Operation Feed the Nation (OFN) 1976, Agricultural Development Project (ADP) 1976, Agricultural Credit Guarantee Scheme (ACGS) 1977, Green Revolution 1980, National Primary Health Care Agency (NPHCA) 1989, Peoples Bank & Community Bank, Structural Adjustment Programme (SAP), Better Life Programme & Family Support Programme 1997, National Directorate of Employment (NDE), Family Economic Advancement Programme (FEAP), Directorate of Food, Roads & Rural Infrastructure (DFRRI), Poverty Alleviation Programme (PAP), Universal Basic Education 2000, National Poverty Eradication Programme (NAPEP) 2001, National Agricultural Development Fund (NADF) 2002, National Economic Empowerment & Development Strategy (NEEDS) 2003, Commodity Marketing & Development Companies (CMDC) 2003, Presidential Initiatives on Selected Commodities; Cassava, Rice, Cocoa, Vegetable oil, Livestock and Fisheries from 1999-2007, Amnesty Programme by the Federal to stop Militancy Restiveness in Niger-Delta 2007

<sup>41</sup> As stipulated by the scheme

<sup>42</sup> Under the Government Enterprise & Empowerment Programme (GEEP)

<sup>43</sup> Popularly called Trader Moni targeted to empower 2 million petty traders at its first round

<sup>44</sup> (SSE) one of the four core programmes of the National Directorate of Employment, the programme is specifically meant for NYSC members at the Orientation Camps. Thus, it is meant to sensitize them on the available opportunities outside employment to set-up their own businesses

<sup>45</sup> (GEAS)

<sup>46</sup> (PPPTS)

Empowerment Scheme<sup>47</sup> designed to fight and reduce unemployment among Nigerian youth by creating at least 774,000 empowerment opportunities.<sup>48</sup>

Nevertheless, the level of poverty is relatively increasing<sup>49</sup> thereby exhibiting low values of human development measures i.e. long and healthy life,<sup>50</sup> knowledge and decent standard of living.<sup>51</sup>

### **Obstacles to Poverty Alleviation Programmes and the Enjoyment of Right to Adequate Standard of Living**

Despite all efforts to alleviate and eradicate poverty in Nigeria, reports from World Bank, WHO, various NGOs home based and abroad, rated Nigeria among the poorest countries in the world; and more recently, the World Poverty Clock shows that, Nigeria has over taken India as the country with the most extreme poor in the world. The June 2018 the report shows that 86.9 million Nigerians live in extreme poverty, and that the number increased by nearly 4 million within six months i.e. from 86.9 – 90.8 million by December 2018. Meanwhile, whilst the number of the poor dropped from 643.5 – 592.7 million globally, it is rapidly increasing in Nigeria. About 50% of its estimated 200 million population are poor,<sup>52</sup> and hence, do not enjoy their right to adequate standard of living.

Some of the reasons been that; although, Nigeria is a party to almost all human rights instruments that enjoin protection and promotion of every person's right to adequate standard of living, the fundamental challenge remains with the implementation and enforcement. Thus, for the enjoyment of any right provided for under any international instrument, such instrument must be domesticated as a national legislation; otherwise, it can neither be used to enforce the rights contained thereunder, nor would the violators of such rights be held accountable or punished for such violations. section 12 (1) of the 1999 Constitution of Nigeria provides that;

*“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.”*

The Supreme Court of Nigeria, per Uwais JSC (as he then was) in *African Reinsurance Corporation V. Abate Fatanye*<sup>53</sup> observed that

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<sup>47</sup> P-YES is structured as a Public Private Partnership (PPP) targeted at providing solutions to the challenges of youth unemployment, through the execution of direct empowerment initiatives. Unlike N-POWER where beneficiaries are posted to publicly owned institutions, P-YES beneficiaries will be trained and empowered on certain areas of vocation and businesses.

<sup>48</sup> See <https://nde.gov.ng> & <https://www.proshareng.com> accessed – 20<sup>th</sup> February, 2019. See also <https://p-yes.gov.ng> accessed – 25<sup>th</sup> March 2019

<sup>49</sup> As the large proportion of the population earn income less than the standard required for their basic needs.

<sup>50</sup> Thus, according to the latest World Health Organization (WHO) data published for 2018 life expectancy of Nigerians born in 2018 is approximately 54 – 55 years in good health. However, poor nutrition and healthcare services account for low average life expectancy in the country. See <https://www.worldlifeexpectancy.com> <https://premiumtimesng.com> & [www.vanguardngr.com](http://www.vanguardngr.com) accessed – 7<sup>th</sup> May, 2019

<sup>51</sup> See the United Nations Development Programmes (UNDP) Human Development Index (HDI)

<sup>52</sup> See Kazeem, Y. (2018), Nigeria Has Become the Poverty Capital of The World, available at <https://qz.com/africa/nigeria> accessed – 19<sup>th</sup> March 2019. See also Nigeria Ends 2018 With 90.8 Million People Living in Extreme Poverty available at [www.pulse.ng](http://www.pulse.ng) accessed – 19<sup>th</sup> March 2019

<sup>53</sup> (1986) 3 NWLR (Pt. 31) Pg. 811 at 834

*“...treaties do not constitute part of the law of the land merely by virtue of their conclusion by the country. In Nigeria by virtue of Section 12(1) of the 1979 Constitution, treaties will have the force of law, after, or the extent that they have been enacted into law of the Federal Government.”*

Another fundamental challenge with the enjoyment of the right to adequate standard of living is its Constitutional protection. The provision falls under Chapter II – the non-justiciable Chapter, and therefore such right cannot be enforced by virtue of S.6 (6) (c) of the Constitution.<sup>54</sup>

On the other hand, despite various programmes aimed at eradicating or alleviating poverty and the allocation of huge funds to them, poverty not only persist, but tends to exacerbate, as most Nigerians remain poor.<sup>55</sup> Some of the reasons are that the recent poverty alleviation programmes like N-Power, GEAS, Trader-Moni, P-YES and the like are not sufficient as were meant to benefit particular groups,<sup>56</sup> lack of capacity for policy implementation, insufficient training and facilities and inadequate support institutions.

Meanwhile, most of the programmes were hijacked by politicians and the philosophy behind them was politicized thereby undermining their objectives. For instance, on one hand, beneficiaries are most times not the targeted groups, rather party loyalists and family members of the ruling party politicians and civil servants involved in the management and implementation of the programmes. Also, agencies responsible are characterized by victimization, corruption, lack of commitment and political will.<sup>57</sup> On the other, most of the Nigerian youths want to live a flamboyant life without them working for it.<sup>58</sup>

However, programmes like Youth Empowerment Scheme<sup>59</sup> and Youth Empowerment Programme under the umbrella of National Poverty Eradication Programme<sup>60</sup> which represent a strategy and commitment to alleviate poverty amongst youths through training in vocational jobs and the provision of micro-credit in a sustainable manner as a tool for self – actualization and

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<sup>54</sup> Thus, the Section provides that: *“the judicial powers vested in accordance with the forgoing provisions of this section shall not except as otherwise provided by this Constitution, extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision is in conformity with the Fundamental Objectives and Directive Principles of State Policy set out in Chapter II of this Constitution.”*

<sup>55</sup> See Nigeria Ends 2018 With 90.8 Million People Living in Extreme Poverty available at [www.pulse.ng](http://www.pulse.ng) accessed – 19<sup>th</sup> March 2019. See also Emmanuel, O., Nigerians Deeping Poverty Misery available at [www.vanguardng.com](http://www.vanguardng.com) accessed – 18<sup>th</sup> March 2019

<sup>56</sup> This is because most are not enjoying the benefit due to the requirements stipulated thereunder, for instance, educational certificate or involvement in petty trading.

<sup>57</sup> For instance, see Ihimodu, I.I., (2004), Marketing of Agricultural Products & the Food Security Programmes in Nigeria Rural Sociological Association at LAUTECH, Ogbomosho – Nigeria, where he stated that; empirical record of many of these programmes and projects are not impressive enough to bring about the expected transformation on the conditions/livelihood of the targeted groups.

<sup>58</sup> See Obandan, M.O., (2007), Analytical Framework for Poverty Reduction: Issues of Economic Growth Versus Other Strategies, Proceedings of the Nigerian Economic Society’s Annual Conference where he says; most of the Nigerian youths want to have good things in life, but are not ready to subject themselves to the world of work. Similarly, Daniel J.J., (2012) “Motives for Occupational Good Setting Among Male & Female Students”, Journal of Applied Psychology, 111(7) Pg. 42 states that; female expressed expectations for greater intrinsic work enjoyment and less financial responsibilities. While male prefer work with greater financial income-white collar job

<sup>59</sup> YES

<sup>60</sup> NAPEP

employment;<sup>61</sup> greatly benefit some of the youths in improving their standard of living, yet, the scheme<sup>62</sup> proved in-sufficient as most of them lack access to the loan due to bureaucracy attached to it and/or unbearable interest rate on the loan.<sup>63</sup>

### **Recommendations**

It is imperative to make right to adequate standard of living constitutionally enforceable right, together with other socio – economic rights, and at the same time domesticate the relevant human rights instruments with the view to improve the lives and living condition of all Nigerians. It is also worthwhile for governments to pay special attention to retirees, other elderly persons and disabled. At the same time, governments and all stakeholders should put forth what is reasonably expected of them to alleviate poverty and fully enjoy the right to adequate standard of living thereby; making provisions for adequate loan facilities with minimal interest rate; establish more vocational and/or training centres with efficient equipment/facilities to make every Nigerian be self – employed; campaign to encourage all sectors to participate in creating more jobs and empowerment programmes and also encourage all those in need participate in vocational training programmes irrespective of their gender or condition.

### **Conclusion**

The necessity to take care of everyone’s basic needs for peaceful and harmonious co-existence can never be over emphasized. This is to say, neglecting peoples’ necessities, especially the youths may be disastrous, as it can militate against all developmental efforts of the nation. Meanwhile, many policies designed to propel the nation’s economy were formulated, yet, poverty not only persists, but exacerbates. Thus, most of the efforts to alleviate poverty appeared insufficient to move majority of Nigerians out of poverty bracket, to the extent that many went to sleep on empty stomach. This is simply because, instead of tackling developmental issues and/or poverty alleviation, governments/policy makers converted leadership positions and public offices into avenues of squander mania, embezzlement, corruption and money laundering; to the detriment of the nation and development.<sup>64</sup> Consequently, most Nigerians do not enjoy their right to adequate standard of living. It is therefore imperative to take all appropriate measures, including legislative and administrative to remedy the situation.

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<sup>61</sup> See Abdussalam, O.I., (2015), “Impact of Youth Empowerment Scheme on Poverty Alleviation in Nigeria”, *International Journal of Business, Economics & Law* Vol. 8, Issue 3. See also Charity, F.I. & Monday, J.U., “Effect of Youth Empowerment Programme (YEP) on Poverty Alleviation in Akwa – Ibom State, *Journal of Assertiveness*, ISSN: 2276 – 9684 (Pdf File)

<sup>62</sup> YES

<sup>63</sup> See Abdussalam, supra note 58. See also Abdussalam, O.I. et al. (2013), Why Women are Being Poor in Kwara State, Nigeria: An Explanation from the Generic Theory, Paper Presented at the Proceedings of the 5<sup>th</sup> Islamic Economic System Conference (IECONS 2013), Malaysia, 4<sup>th</sup> – 5<sup>th</sup> September 2013

<sup>64</sup> See Orji, J.I., An Assessment of Impacts of Poverty Reduction Programmes in Nigeria as a Development Strategy, 1970 – 2005, A Dissertation Submitted to the School of Post – Graduate Studies, St. Clements University, Turks & Caicos Island