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Eco-Social Provisions of the 1999 Constitution and Poverty Alleviation Programme in Nigeria: A Critical Evaluation

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Abstract

The last decade has been a particularly harsh period for many low-income developing countries. World recession, the debt crises, exchange rate misalignments, oil price shocks, depressed commodity prices, high real interest rates and stagnation in foreign aid flows have exerted in their own ways, a heavy toll on developing countries and their people. The economic, and invariably, the social service sector growth of these countries have been negligible if not negative during this decade. Reducing poverty is accepted as a major objective of economic development and the concern of most governments. Economic growth is generally considered to be a necessary but not sufficient condition for alleviating poverty. The mandate of this paper is to present a conceptual legal framework for alleviation of poverty and detail some appropriate suggestions as a strategy for poverty alleviation.

Key Words: Poverty alleviation, human rights, Nigerian Constitution, social justice,

1. Introduction

In the Post-Colonial history of federalism in Nigeria, two distinct phases in relation to military rule are discernible. The first phase was between 1966 and 1978, which was marked by relative autonomy in the State; incorporation of notable and credible Nigerian politicians into military governance; and the implementation of fairly successful re-democratization process which culminated in the emergence of the second Republic in 1979. The second phase coincided with military rule beginning from 1983 till 1999[1].The third phase began in May 1999, and ended successfully in 2003 with the swearing in of Chief Olusegun Obasanjo as President for a second term of four years. Since then, the late President Musa Yardua, Dr. Goodluck Jonathan and General Muhammad Buhari have succeeded him. Although, the expectation of Nigerians from their government remained largely unfulfilled, there is however a wide consensus that democratically elected governments have demonstrated some measures of respect for the civil and political rights of individuals. Consequently, there is wide space for the exercise of the freedom of expression, and greater respect for the dignity of the human person. Unlike the military era, security agents no longer harass journalists and outspoken Nigerian, and detention of political opponents is now a thing of the past.

In addition, there is more respect for the freedom of association and participation in the electoral process. A lot of Nigerians have expressed their preference for a democratic rule, in spite of the fact that Nigeria could not fully comply with its national[2] and international obligations[3] to respect

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[1] David. O. Alabi "Federalism and the Quest for National Development in Democracy and Development in Nigeria Vol. I Ed. by Hassan A. Saliu, J.F. Olorunfemi, Usman Lateef, Samuel B. Oludoyi.

[2] The National Obligations of the Nigerian State with respect to Civil and Political Rights are stated in chapter. IV of the 1999 Constitution.

the civil and political rights of its citizenry. This is because the period of democratic rule in the country has brought more freedom to the citizens than the dark days of the Military dictatorship. There is however growing concern about poverty, widespread unemployment, deterioration of the living conditions of the greater majority of the people and widening inequality between the rich and the poor. There is a tendency of the government to neglect the social and economic rights of the people of this country. The general conclusion of Nigerians is that social and economic rights of Nigerians have remained elusive.

Therefore, the main argument of this paper is that a situation where Nigerian government tends to emphasize civil and political rights with scanty regards to social and economic rights is unjust because social and economic justice are two pillars upon which Nigeria as a nation's civil society is founded. In examining the obligations of the government with regard to social and economic justice, the paper will review the poverty alleviation programmes of the government which is regarded as the government's efforts towards socio-economic justice. It will then proffer suggestions for a holistic approach in the implementation of poverty eradication in Nigeria with a view to enhancing socio-economic justice in the country.

2. Constitutional Obligation of Government to Implement Social and Economic Justice

The Nigerian government's obligation to implement social and economic justice in the country is derived from both domestic and international law. Under the domestic law, these rights are enumerated in Chapter II of the 1999 Constitution, which provides the "*fundamental objectives and direct principles of state policy*".[4] Although the chapter does not use the word "justice" or "right," it does create obligations on the part of the government, and these translate to justice for the citizens.

As far as social and economic justice is concerned, the constitution provides, inter alia:

> The state shall direct the policy towards ensuring:
>
> (c) that the economic system is not operated in such a manner as to permit the concentration of wealth as the means of production and exchange in the hands of few individuals of a group;
>
> (d) that suitable and adequate shelter, suitable and adequate food, reasonable national minimum living wage, old age, care and pensions, and unemployment, sick benefits and welfare of the disabled are provided for all citizens[5].
>
> The state shall direct its policy towards ensuring that:
>
> (a) All citizens without discrimination or any group whatsoever have the opportunity for securing adequate means of livelihood, as well as adequate opportunity to secure suitable employment.
>
> (b) Conditions of work are just and humane, and there are adequate facilities for leisure and for social, religious and cultural life.

[3] Nigeria is a party to the International Bill of Rights which consist of Universal Declaration of Human Rights

[4] Patterned after similar provisions of the Indian Constitution Art. 37 which provides that although the Directive Principles "Shall not be enforceable by any Court" are nevertheless fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws".

[5] Section 16 (c) and (d)

(c) The health, safety and welfare of all persons and employment are safeguarded and not endangered or abused.
(d) There are adequate health and medical facilities for persons
(e) There is equal pay for equal work without discriminations on account of sex, or on any other ground whatsoever.
(f) Children, young person and the aged are protected against any exploitation whatsoever, and against moral and material neglect;
(g) Provision is made for public assistance in deserving cases or other conditions of need; and
(h) The evolution and promotion of family life is encouraged[6]

On the right to education;

> The government shall direct its policy towards ensuring that there is equal and adequate educational opportunities at all levels. It shall strive to eradicate illiteracy by providing, as well and when practicable, free, compulsory and universal education, free secondary and universal education, and free adult literacy programme[7].

Under section 13, the constitution provides that it shall be the duty and responsibility of the organ of government, and of all authorities and persons exercising legislative, executive or judicial power to conform to, observe and apply the above provisions and other provisions of the chapter. The constitution also provides in item 60 of the Exclusive Legislative List that the National Assembly shall have power to make laws with respect to the establishment and regulation of authorities to promote and enforce the observance of the fundamental objectives and direct principles contained in chapter II of the constitution. However, the constitution does not make them justiciable.

2.1. Purpose of the Fundamental Objectives

The purpose of the fundamental objectives and Directive Principles of state Policy which was introduced by the 1979 constitution and subsequently contained in the 1999 constitution is to provide a philosophical and ideological foundation to drive the policies and programmes of government at all levels. This becomes evidently clear from the definition of the terms "Fundamental Objectives" and "Directive Principles" in the 1979 Constitution Drafting Committee Report as follows:

> "By Fundamental Objectives we refer to the identification of the ultimate objectives of the nation whilst the Directive Principles of State policy indicates the paths which lead to those objectives. Fundamental Objectives are ideals towards which the Nation is expected to strive, whilst the Directive Principles lay down the policies which are expected to be pursued in the efforts of the Nation to realize the national ideals[8]

[6] Section 17(3)
[7]Section 18
[8]Report of the Constitution Drafting Committee Vol. 1 p. V

Professor Jadesola Akande[9] believes that the reason for the insertion of chapter II into the constitution of Nigeria is that "governments in developing countries have tended to be pre-occupied with power and material perquisites with scant regard for "political" ideals as to how society can be organized and ruled to the best advantage of all. She opined further that this rationale is of special relevance to the Nigerian polity whose cardinal features are:

> Heterogeneity of the society, the increasing gap between the rich and the poor, growing cleavage between the social grouping all of which combine to confuse the nation and bedevil the concerted march to orderly progress"

The Constitution Drafting Committee found the 1993 constitution lacking in this respect.

Fundamental State Policy is therefore an important underlying philosophy of governance by which all arms of government and all levels of government should be held accountable. It also defines the social contract between the public and the officials, vesting rights and conferring obligations on the contracting parties. All arms of government have a role to play in realizing fundamental state policies. It is the duty and responsibility of all organs of government, and of all authorities and persons, exercising legislative, executive or judicial powers, to conform to, observe and apply the provisions of chapter II of the constitution[10].

The Executive is obliged to ensure that its policies and programmes conform with and implement Fundamental State Policy. The Legislative is also constitutionally obliged to translate the content of Fundamental State Policy into reality by enacting legislations to implement them[11]. However, the constitution excludes the jurisdiction of the Courts on question relating to contravention of the Provisions in this chapter.

In Attorney General of *Ondo State –V- Attorney General of the Federation & 35 Ors*[12] The Supreme Court was confronted with the task of construing item 60(a) on the Exclusive Legislative List and Section 15(5) of the constitution. The Plaintiff invoked the original jurisdiction of the Supreme Court and applied for the determination of the question whether the National Assembly has the legislative competence to make the Corrupt Practices and other Related Offences Act No. 5 of 2000 (the ICPC Act). The Supreme Court held that the ICPC is constitutional. The decision of the Court was hinged on Section 4(2), item 60(a) and 68 on the Exclusive Legislative List, paragraph 2 of part IV of the second schedule and section 15(5) of the constitution. According to Uwais, CJN, since section 15(5) directs the National Assembly to abolish all Corrupt Practices and Abuse of Powers, it can only do so effectively by legislation.

Also in the case of *Arch Bishop Olubunmi Okogie –Vs- Lagos State*[13] the Court of Appeal had cause to interpret a similar provision – Fundamental objectives and Directive Principles of State Policy contained in Chapter II of the 1979 constitution when it held:

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[9]Introduction to the Constitution of the Fed. Republic of Nigeria 1999 MIJ. PP 2000, at pg. 73
[10]Section 13
[11]YemiAkinseye George "Social and Economic Rights and Sustainance of Democracy in Nigeria. In: The Pursuit of Justice and Development; Essays in Honour of Hon. Justice M. OmotayoOnalaja.
[12](2002) 27 WRN I
[13](1981) 2NCLR 337 at 350

> "The Fundamental Objectives identify the ultimate objectives of the Nation and the Directive Principles lay down on the policies which are expected to be pursued in the efforts of the Nation to realize the national ideals which section 13 of the constitution makes it a duty and responsibility of the judiciary among other organs of government, to conform to and apply the provisions of chapter II Section 6(6)(c) of the same constitution which makes it clear that no Court has jurisdiction to pronounce any decision as to whether any other organ of government has acted or is acting in conformity with the Fundamental Objectives and directive Principles of State Policy. It is clear therefore that Section 13 has not made chapter II of the constitution justiciable".

Even though the rights contained in chapter II are not justiciable, they contain guidelines as to what the Courts should do when confronted with the problem of interpretation of the constitution. See *Damisha –V- Speaker, House of Assembly Benue State*[14]. Besides, Martin Scheinin has demonstrated that the trend worldwide is towards justiciability of social and economic obligations.

3. Other Sources of Socio-Economic Obligations of the Nigerian Government

Other sources of social and economic obligations of the Nigerian government are the Universal Declaration of Human Rights (Article 20 – 25) The International Convention on Economic, Social and Cultural Rights (ICESCR), the African Charter on Human and Peoples' Right (Article 15 – 18), the Convention on the Elimination of All forms of Discrimination against Women (CEDAW). All these conventions, which Nigeria has ratified, impose serious obligations to commit resources to the realization of social and economic rights, such as:

- Right to work[15]
- Right to adequate standard of living, adequate food, housing and clothing and to continuous improvement of living conditions[16]
- Right to the highest attainable standard of physical and mental health[17]

These rights are aimed at placing the state under a legal obligation to devote a reasonable amount of its resources to the satisfaction of the social and economic needs of its people. States are accordingly obliged to take practical measures to deal with the problem of economic inequalities and social imbalances. Experience has shown that security of the state and democracy are endangered by widespread poverty and lack of economic justice. Thus, unless the social and economic conditions of individuals are improved, they soon become disenchanted.

In Article 2(1) of the International Covenant on Economic, Social and Cultural Rights, each state party undertakes to take steps, individually and through international assistance and cooperation especially economic and technical, to the maximum of its available resources with a view to

[14](1983) 4 NCLR 625
[15]Economic and Social Rights as Legal Rights in (AsbjoinEideCatarina Krause & Allen Rosaseds) Economic, Social and Cultural Rights (1995) P. 41.
[16]Articles 6 & 9 – International Covenant on Economic, Social and Cultural Rights (ICESCR)
[17]Article II of the ICESCR

achieving progressively the full realization of the rights recognized in the "present charter by all appropriate means, including particularly the adoption of legislative measures".

It is clear from this provision that State parties do not undertake to give immediate effect to all the rights in the covenant but to take steps "to the maximum of its available resources" in order to achieve progressively the full realization of economic and social rights. Whereas the civil and political rights do not require the allocation of funds but a positive attitude on the part of the government, a commitment not to engage in breaches of human rights, social and economic rights require the budgetary allocation of economic and technical resources, education, planning, the record of social priorities, and international cooperation.

By virtue of the African charter on Human and Peoples Rights (Ratification and Enforcement) Act Cap 9 Laws of the Federation of Nigeria 2004, the provision of the African Charter on Human and Peoples Right ("the Charter") becomes part of Nigeria's domestic legal system. In *Abacha –V- Fawehinmi*[18] the Supreme Court held that the charter has become part of Nigeria's domestic law and is enforceable in Nigeria Courts. Since the right to development and economic, social and cultural rights are enshrined in the African Charter, the Federal High Court in *Odafe & Ors –V- Attorney General of the Federation*[19] upheld the socio-economic rights of prison inmates to medical care, when Nwodo J. (as he then was) held:

> The government of this country has incorporated the African charter on Human and Peoples Right Act Law Cap. 10 as part of the law of the country the Court of Appeal in Ubani –V- Director SSS 1999II NWLR pt. 129 held that the African Charter is Applicable in this country. The charter entrenched the socio-economic rights of person. The Court is enjoined to ensure the observation of these. A dispute concerning socio-economic rights such as the right to medical attention requires the court to evaluate state policies and give judgment consistent with the constitution.

One therefore appreciates the fact that the economic cost of embarking on medical provision is quite high. However, the statutes have to be complied with and the state has a responsibility to all the inmates in prison, regardless of the offence involved, as in the instant case where the state has wronged the applicants by not arraigning them for trial before a competent Court within a reasonable time and they have been in custody for not less than two years suffering from illness. They cannot help themselves even if they wanted to because they are detained and cannot consult their Doctor.

Also in *Socio Economic Rights and Accountability Project (SERAP) –Vs- Federal Government of Nigeria*[20], the Plaintiff sued to compel the Defendant to enforce the right of every Nigerian to education. In challenging the suit, the Defendant contended that the right to education could not be enforced under section 18 of the Nigerian Constitution. In dismissing the objection the Community Court (ECOWAS) held:

[18]Article 12 of the ICESCR.
[19](2004) AHRLR 205 at 211; (2008) CHR 309 at 309 – 324
[20](Unreported) Suit No. ECW/CCJ/APP/08/08

> The Directive Principles of the State Policy of the Federal Republic of Nigeria are not Justiciable before this Court as argued by second defendant and that fact was not contested by the Plaintiff. And granted that the provisions under the Directive Principles of State Policy were justiciable, it would be the exclusive jurisdiction of the Federal High Court, being a matter solely within the domestic jurisdiction of the Federal Republic of Nigeria. However, the plaintiff alleges a breach of the right to education contrary to the provisions of the African Charter on Human and Peoples Rights. The right to education recognized under Article 17 of African Charter is independent of the right to education captured under the Directive Principles of State Policy of the 1999 Federal Constitution of Nigeria……..

Similarly in *Social and Economic Rights Centre and the Centre for Economic and Social Rights –V- Nigeria*[21], the complaint before the Commission alleged that the Nigerian Government violated the right to health and the right to clean environment recognized under Article 16 and 24 of the African Charter by failing to fulfill the minimum duties required by these rights. The commission in expounding the content of the right to health and the right to a satisfactory environment contained in the charter noted the importance of a clean and safe environment that is closely linked to economic and social rights in so far as the environment affects the quality of life and safety of the individual. The right to enjoy the best attainable state of physical and mental health enunciated in Article 16(1) of the African Charter and the right to a general satisfactory environment favourable to development under Article 16(3) the Commission ruled, obligated governments to desist from directly threatening the health and environment of their citizens. The State is under an obligation to respect the rights and this entails largely non-interventionist conduct from the state for example, not from carrying out, sponsoring or tolerating any practice, policy or legal measures violating the integrity of the individual. The Commission found the Nigerian Government in breach of the above mentioned articles.

While it may be unrealistic, in view of limited resources and the elastic nature of social and economic justice, to expect immediate implementation of all socio-economic justice in the covenants, there ought to be evidence of conscious and deliberate efforts by each state government to live up to its treaty obligation. The government must be seen to be taking steps to the maximum of its available resources with a view to achieving progressively the full realization of these rights.

4. Eco-Social Rights Enforcement in other Jurisdictions

4.1 India

Part III of the Indian constitution provides for fundamental rights whist part IV provides for Directive Principles of State Policy which like chapter II of the Nigerian Constitution are not justiciable.[22] In India, the activist judiciary has compelled the government to enforce certain

[21]Communication 155/56 fifteen Annual Activity Report of African Commission on Human and Peoples' Right 2001 – 2002.

[22]See generally Akeem Bello "Eco-Social Rights under the African Charter on Human and Peoples' Right: Limits and Prospects of Enforcement in Nigeria" InUnilag Journal of Human Rights Law Vol. No. I P. 1

aspects of the Directive Principle of State Policy. The resort to affirmative actions to promote economic, social and cultural rights was acknowledged by a front line jurist, when he said:

> These three categories of human rights depend fundamentally on the rights to life and personal liberty which is a core human right. The right to life is now confined merely to physical existence but includes also the right to live with basic human dignity – with the basic necessities of life such as food, health education, shelter…. These human rights fall within the category of social and economic rights and they can be realized only by affirmative action on the part of the state and if the State fails to carry out its constitutional or legal obligations in enforcement of these human rights, it may have to be compelled to do so by an activist judiciary. We in India have done so, by compelling affirmative state actions in cases where the state was under a constitutional or legal obligation to do so[23].

Accordingly, the approach which has been adopted in India is to construe the provision of the fundamental human rights provisions in the Indian constitution in such a way as to achieve the provisions of objectives and Directive Principle of the Indian constitution. Thus in the leading case of *Olga Tellis –V- Bombay Municipal Corporation*(23) the Indian Supreme Court construed the right to livelihood from the right to life guaranteed under Article 21 of the Indian constitution and held that it is an integral component of the right to life. The Court reasoned that if the right to livelihood is not treated as a part of the constitutional right to life, the easiest way of depriving a person his right to life would be to deprive him of his means of livelihood to the point of abrogation. Such deprivation in the opinion of the Court would not only deny the life of its effective content and meaningfulness but it would make life impossible to live. The right to life has also been construed in India to cover the right to emergency treatment,[24] the right to basic necessities of life such as adequate nutrition, clothing and shelter[25].

4.2 South Africa

Comparative jurisprudence from South Africa Constitutional Court has also thrown some light on the nature of the obligations assumed by government to achieve economic, social and cultural justice guaranteed by the South African Constitution. Although the relevant constitutional provisions in South Africa guarantees economic, social and cultural rights unlike the Nigerian Constitution which declares them to be objective and directive principles, the approach to the nature of obligations assumed by Government is essentially the same. In the leading case of *Government of the Republic of South Africa –V- Grootboom*[26] this was judicially confirmed when the court held that:

> "Our Constitution entrenches both civil and political rights and social economic rights. All these rights in our Bill of Rights are interrelated and mutually

[23](1986) AIR 180
[24]*PaschimBangaKhetMazador Sanity and Ors –V- State of Bangal&Or* (1986) AIRSC 2426.
[25]Inaugural Address by Hon. Justice P.N. Bhagwal; Former Chief Justice of India and Conveyor of the Judicial colloquim in Bangalore; 124 – 26, February, 1988 in Developing Human Rights Jurisprudence, a Commonwealth Secretariat Publication, 1988 P. XXII – XXIII.
[26](2001) 36 WRN 137 at 102 - 103

> supporting. There can be no doubt that human dignity, freedom and equality, the foundation values of our society, are denied those who have no food, clothing or shelter. Affording socio-economic rights to all people therefore enables them to enjoy the other rights enshrined in chapter 2. The realization of these rights is also the key to the advancement of race and gender equality, and the Evolution of a society in which men and women are equally able to achieve this full potential. The right of access to adequate housing cannot be seen in isolation. There is a close relationship between it and the other socio-economic rights. Socio-economic rights must all be read together in the setting of the constitution as a whole. The state is obliged to take positive action to meet the needs of those living in extreme conditions of poverty, Homelessness or intolerable housing. Their interconnectedness needs to be taken into account in interpreting the socio-economic rights, and, in particular, in determining whether the state has met its obligations in terms of them".

The lesson from South Africa by this judgment, is that both civil, political, socio-economic rights are mutually complementary and must go hand in hand to achieve a total freedom and emancipation of the human race.

5. Level of Poverty in Nigeria

The primary purpose of government is well captured in section 14(1)(b) of the constitution which provides that security and wellbeing of the people shall be the primary purpose of government.[27] The provisions perhaps derive its inspirations from the American Declaration of independence which proclaimed that:

> We hold this truth to be self-evident that all men are created equal, that they are endowed by their creator with inalienable rights that amongst these are life, liberty and pursuit of happiness.

Government is a means to an end, the end being the improvements of the social and economic conditions of the populace and ultimately the pursuit of social and economic justice. Fundamental State Policy represents an explicit acknowledgement of the ends of government and responsibility of the state to the citizen[28]. The significance of the obligations of government as envisioned by Fundamental State Policy equates with expectation of just and equitable impacts on the citizen. However, whether the government of Nigerian has lived up to the expectation of the citizens in this regard is a big question.

At least, N18,844 million was generated and spent between 2011 and 2012 in Nigerian by the Federal and State Governments according to figures by the Budget Office of the Federation[29]. The Budget office also declared that the country recorded real growth; the Gross Domestic

[27]OlasupoSasore (SAN) Public Interest Litigation – Enforcing Social and Economic Rights- IN "The Advocate - Journal of Law Students Society of OAU Vol. 30

[28]E.O. Alemika "Fundamental Objectives and Directive Principles of State Policy with the Framework of Liberal Economy in Nigerian issues in the 1999 Constitution Ed. AyanGuobadia, Adekunle, Nigerian Institute of Advanced Legal Studies Lagos 2000 at PP. 188 – 199.

[29]The Guardian Newspaper: March 28, 2003, Page 2.

Product (GDP) of seven percent in 2011 and 6.28 in 2012. Apparently these are impressive numbers and really support the classification of Nigerian by the Breton Wood Institution as a medium income country. However, this writer is worried that though the country is rich, a vast majority of her citizenry continue to live in abject poverty as the recently launched United Nation Development Programme (UNDP) Human Development index (HDI) has indicated, signifying that most of the Nigerian people are excluded from the "unimpressive growth".

The UNDP report places Nigeria amongst the least countries of the world that recorded achievement in the upgrade of the welfare of their citizens—the Low Human Development Category, where mostly poor nations or low-income countries as they are called belong. Overall, Nigeria on the rating table is placed number 153 out of a total of 186 countries around the world where survey was conducted. The countries are classified into four categories namely Very High Human Development, High Human Development; Medium Human Development and Least Low Human Development[30].

The indications as contained in the report on Nigeria are frightening as they all are disturbing. For instance, the report say 143 under five children die yearly of preventive diseases out of every 1000 births; 630 women die out of every 100,000 deliveries in the country; the population of people living under One United States Dollar and twenty-five cent per day (an average of N170) is 68 per cent while life expectancy is 52.3 years, meaning the majority of Nigerian die before even the Public Service Retirement Age of 60 due apparently due to deprivation[31].

This is so according to the report; because Nigeria public spending on health yearly, relative to the size of her GDP is just 1.9 percent, which earned the country a score of less than one percent, at 0.570%. The report concluded by saying:

> The HDI (Human Development Index) represents a push for a broader definition of well- being and provides a composite measure of three basic dimensions of human development, health, education and income. Nigeria's HDI is 0.471 which gives the country a rank of 153 out of 187 countries with comparable data. The HDI of Sub-Saharan Africa as a region increased from 0.366 in 1980 to 0.475 today, placing Nigeria below the regional average.

What can be deduced from the above is that the HDI trends tell an important story about the poverty trap in Nigeria both at state and national level and highlight the very large gaps in wellbeing and life chances that continue to divide the country.

5.1 Poverty Alleviations Programmes

For many years successive governments have been verbalizing the provision of sanctity of the human person, human dignity, human governmental actions, or exploitation of human/natural resources for the common good, independence, impartiality, and integrity of courts of law, easy accessibility thereto and suitable employment.

Thus the former President of Nigeria in one of his addresses to the nation 2012 said:

[30]2012 Federal Budget Office Report pg. 15.
[31]Ibid.

> We will do more in terms of providing democracy dividends. If we manage our resources well, there is no reason why all Nigerians should not have access to good education, health care, basic and decent shelter, potable water, steady water supply and tarred roads to their communities. These are things that government at all levels should be paying attention to if our leaders are imbued with the Spirit of God and God-fearing[32].

However, it is on record that intentions expressed above were not matched by concrete actions. Nevertheless, the government at both the local, State and federal levels of recent, had shown concern for the need to alleviate poverty affecting many Nigerians.

5.1.1 Federal Government Intervention Programmes

It will be recalled that there had been in the past many interventionist programmes, established and funded by the government to alleviate poverty. Such programmes included the Feeding of school children, the Department of foods, Roads and Rural Infrastructure (DFFRI), the Education Trust Fund (ETF), and now the Christopher Kolade Committee on Subsidy Re-Investment and Empowerment (SURE-P). All these schemes were established ostensibly to alleviate poverty.

The Federal Government of Nigeria announced through the Senior Special Assistant to the President for Millennium Development Goals (MDGS) that it had reached a partnership with 24 states governments "*to urgently alleviate poverty among rural dwellers*[33]". For this purpose, the office of the (MDGS) in the Presidency was committing N5b this year while the participating states were expected to raise the complement of N5b.

Similarly, this year the World Bank, because of the worrisome *human development numbers in Nigeria has decided* to intervene by committing a sum of $300 million on a Social Safety Net programme aimed at attacking poverty by directly identifying the vulnerable in the society with the sole aim of addressing the sharp inequality in the country where a few are stupendously rich while the majority continue to wallow in abject poverty[34].

As aprelude to the commencement of this new initiative, which is a partnership between Nigeria and the Breeton Wood Institutions, The Director for Human Development Group, Dr. RitraReinkka, said that the new initiative known as Youth Employment and Social Support Operations was the World Bank's new strategy of combating poverty through prosperity sharing and cash transfer by critically identifying the core vulnerable in the society and empowering them as opposed to the several Social Safety Net Programmes in the country that may have been hijacked by the privileged few and directed at the wrong people, thus widening the gulf between the haves and the have nots. 20 States in the country had indicated interest to participate in the project; the pilot scheme was to start in seven states: Bauchi, Niger, Cross River, Ekiti, Osun, Oyo and Kwara.

[32]The Punch, Tuesday, October 15, 2012. P. 56
[33]The Guardian, Thursday, October, 25, 2012
[34]OP. Cit. Pg. 2

Under the scheme, the vulnerable will be identified and selected for the purpose of conditional cash transfer under the social safety programme like public works as an empowerment tool to give them a lift in life.

Nigeria was said to be recording growth, it was not inclusive as there was still wide disparity between the haves and the have notes in the country with even a large population of about 10 million Nigerian children dropping out of school.

5.1.2 State Government Intervention Programmes

Some States government especially in the South West and the Northern had commenced giving one meal each day to primary school pupils. The State governments are implementing these because of malnutrition afflicting many pupils and hence the government decided to provide one very good meal a day, whether day or boarding to students. Against the background of the prevailing situation in the country, this action of the state governments is most welcome.

Malnourishment among the Nigerian children is, if truth be told is merely a symptom of the increasing impoverishment of their parents in particular, with the average citizen living on about a dollar a day[35]. The State governments have, in this case, exhibited toward a basic and urgent social issue that uncommon sensitivity that is urgently required of leaders of developing countries. It is all well and good that governments build and equip the schools.

But first thing must come first and, in the widely accepted hierarchy of human needs, adequate feeding tops the list. It goes without saying thereafter that for Nigerian children to study well, they must eat well. This is a fact recognized and already addressed by authorities in developed countries. In the United Kingdom and the United States of America for instance, school children are given meals, even milk.

Indeed, this initiative is perfectly in consonance with Social Objectives of our 1999 Constitution where in chapter 2 (17)(g) specifically states, "provision is made for public assistance in deserving cases or other conditions of need….". Furthermore, section 4 (19)(a) of the National Policy on Education[36] stipulates that "Primary education shall be tuition free, universal and compulsory".

Sub-section (19)(K) of the aforesaid policy enjoins that "Everything possible shall be done to discourage the incidence of dropping out at the primary level of education….."

Take together these provisions are in letter and spirit strongly supportive of the governors' initiative. Besides, it is not far-fetched to argue that adequate nourishment of primary school pupils between ages six (6) and twelve (12) is critical to our education system given that, as expressed in section 4 (17) of the National Policy of Education "the rest of the education system is built upon this foundation.

[35]The Guardian: Sept 15, 2005 P. 16
[36]2001 pg. 14

5.2 Problems Associated with Government Poverty Alleviation Programmes

The concern by the government and the World Bank on the need to alleviate poverty among many Nigerians is definitely not misplaced. This in accord with the provision of sections 16 and 17 of the constitution which enjoins government to provide for the social and economic needs of the citizens[37]what is worrisome about the scourge is the disingenuous method, involving the distribution of cash to the affected people . Giving money to poor people can reduce their poverty only for a few hours or days, which obviously cannot be the intention of government. A serious attempt at alleviating poverty must necessarily encompass wider and deeper measures to enable the people generate their wealth in a sustainable fashion.

The concern about poverty in the country is appreciable. However, disbursing cash directly to families defies the basic principles of poverty reduction. Examples worldwide reveal that the approach that has helped reduce poverty is to empower individuals to become more productive. The scheme adopted by both the World Bank and the federal government generates more questions. As the states are required to be partners and or contribute counterpart funds to what extent have they been involved in the conceptualization? How will the schemes ensure that beneficiaries are not selected based on political party affiliation or patronage?

The lessons of the past interventionist programmes should not be jettisoned. The "Task Force" mentality that was infused into the nation's psyche during military administrations negated the building of enduring institutions. Consistently, such schemes failed to utilize existing structures but created agencies controlled by the Presidency or NGOs, without harmonization with the Ministries and Departments and Agencies handling the specific areas of national development. This resulted in a catalogue of uncompleted and unsustained projects across the land.

Poverty situation abounds in urban centres as well as rural areas, what is the rationale for focusing on rural dwellers alone? At the state level, the initiative of feeding of primary School pupils is laudable; but the constitutional validity of the policy has to be carefully considered such that, well meaning as it is in principle, the plan does not encroach upon the authority of the lowest tier of government. Secondly this is certainly an ambitious plan that needs to be carefully thought through in order to make adequate arrangements for the cost, logistics and other requirements. Laudable as the meal for pupils policy is, we urge that it be worked out to the littlest detail and implemented with utmost transparency. For instance, the Federal Government provides meals for segments of the society such as prisoners. But experience shows that prisoners' feeding has suffered from a combination of poor funding and inefficient management. It is also rife with collusion and corruption, all to the detriment of the target beneficiaries.

If government would commit itself to honour these fundamental obligations of the state to the people, if only government functionaries applied their mind to the truly important matters of the state, the need for clarity either to the citizen or children would be less urgent for now.

[37]Constitution of the Federal Republic of Nigeria 1999.

6. Recommendations

There is need for clear understanding as to whether poverty or hunger is the bigger problem. There appears to be no difference between the two. However, it is settled that poverty is a major problem that must be tackled the same was as warfare. It is the root of all other afflictions. It is the lack of income sufficient to meet the needs of the individuals and by extension, the family.[38] To paraphrase Mao Zedung "Let hundred of ideas flourish".

There is therefore the need to throw up fresh ideas on question of poverty eradication. Ideas that should be taken up seriously because we are still in search of strategy and tactics to effectively confront the enslaving regime of corruption in the country and neo-liberalism in the world.

Accordingly, the following propositions on poverty eradication are being suggested.
First Suggestion: It is suggested that an annual allocation from the budget of all the three tiers of government should be given directly to the people as grants, not credits, to invest on their own as part of the fight against poverty. The developed countries do this every year and we need to do it also if we are ever to banish poverty from our country.

Second Suggestion: The allocation above is no alternative to massive construction of roads, electricity, hospital, through direct labour and jobs for all, but giving grants is essential to the upliftment of our people from misery.

Third Suggestion: In order to boost creative industry in the country, establish a fund for film makers in the budget and offer that as grants to any citizen who has a good film proposal. The knock-on effects will be amazing since every film production employs many professionals from different backgrounds. In addition, set up film schools in every state and establish film studies to which the messages would be given free access.

Fourth Suggestion: The government should turn some of the white elephant and abandoned projects that past governments built into stock Exchanges in every state; provides grants for training of market traders and undergraduate students alike in stock trading, provide grants for young graduates to get started in stocks trading and government will be creating hundreds of billionaires in the country.

Fifth Suggestion: A programme of financial literacy would fail without mass literacy. In that direction, the implementation of universal literacy programme by which the unemployed graduates would be hired to teach the illiterate for four years would result in everybody being able to read and write within a short period. Although this appears idealistic and optimistic, in the Nigerian context of today, but this was what the revolutionary regime in Cuba did in 1959 – with literally magical results.

Sixth Suggestion: Establish scholarship funds for the poor university students and also set aside a start-up fun for those graduates who wish to venture into business. Government will see how they would help to reduce unemployment and also reduce the temptation to go into criminal

[38]Shola J. Omotola: "NO Democracy, No Development or Vice versa? IN Democracy and Development in Nigeria Pg. 37 Ibid.

activities. It is not the big multinational company that hires five thousand workers that solves unemployment, but government programmes and initiatives.

7. Conclusion

Poverty, being a major problem in this country, requires a determined multi-disciplinary approach involving all – tiers of government and the traditional leadership because the degree of positive impact of government on the well being and welfare of the people naturally becomes a benchmark for measuring the performance of government[39]. It was for this reason, the constitution provides for political,[40] economic[41], social[42], educational[43], foreign policy[44], environmental[45], Cultural[46], mass media[47], ethnic objectives[48], as responsibilities of government over the citizens. What is lacking in the country is justice and not just clarity.

[39]OP. Cit
[40]Section 15
[41]Section 16
[42]Section 17
[43]Section 18
[44]Section 19
[45]Section 20
[46]Section 21
[47]Section 22
[48]Section 23