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HIGHLIGHTS

Dignosing Crime Intentions

Determinants of Child Poverty

Vulnerability to HIV/AIDS Attack

Decades of African Commission

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Contentious Questions and Religious Dimensions in International Intervention

By Abdi O. Shuriye

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Abstract - Since the beginning of the last decade, there is a renewed attention and interest in the relationship between religion and international intervention. Religion is a belief system, faith and cultural orientation; it is a system of symbols which acts to establish powerful moods and motivations in men by formulating conceptions of a general order of existence and it has direct relation to international intervention. The core objective of this research emanates from the conviction that international intervention has yet to produce sustainable results and role of religion in the process has been marginal. The research therefore, investigates the meagerness, methodologies and the nature of international intervention, as well as the role of religion in its diverse aspects. The central argument of the research leads to the fact that current humanitarian crisis of the world has resulted from the dreadful failure to employ better mechanisms in the implementation levels of any form of intervention.

Keywords : *International intervention, religion, armed conflicts, United Nations, war crimes, international community.*

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Contentious Questions and Religious Dimensions in International Intervention

Abdi O. Shuriye

Abstract - Since the beginning of the last decade, there is a renewed attention and interest in the relationship between religion and international intervention. Religion is a belief system, faith and cultural orientation; it is a system of symbols which acts to establish powerful moods and motivations in men by formulating conceptions of a general order of existence and it has direct relation to international intervention. The core objective of this research emanates from the conviction that international intervention has yet to produce sustainable results and role of religion in the process has been marginal. The research therefore, investigates the meagerness, methodologies and the nature of international intervention, as well as the role of religion in its diverse aspects. The central argument of the research leads to the fact that current humanitarian crisis of the world has resulted from the dreadful failure to employ better mechanisms in the implementation levels of any form of intervention. The researcher adopts evaluative method to comprehensively assess the subject matter. The data of the research is mainly collected from the available materials. The significance of this research lies in the fact that it explores the subject matter beyond the conventional apparatus.

Keywords : *International intervention, religion, armed conflicts, United Nations, war crimes, international community.*

I. INTRODUCTION

This research addresses the new face of international intervention. The aspirations of the research is derived from the United Nations World Summit of 2005, which had explicitly adopted international collective responsibility approach to protect civilians from genocide, war crimes, ethnic cleansing or crimes against humanity. The summit was of the opinion that this needs willingness to take timely and decisive collective action through the Security Council; provided that peaceful means prove inadequate and national authorities fail to perform the same task. (UN World Summit, 2005) The test of the outcome of the summit is now observed on how the UN tackles the current Middle East and North African apprising.

The argument of this research is that, although the UN and other governmental organizations made repetitive diplomatic attempts through its resolutions in intervening political calamities and sending peacekeeping forces, the mechanisms of these efforts need further scrutiny and simplification. International intervention is part of the mechanisms performed by

the international community through international and regional organizations. This research evaluates some contentious questions surrounding international intervention and further outlines its comprehensive relationship to religion.

II. DELINEATIONS OF INTERNATIONAL INTERVENTION

To begin with, it must be mentioned that in the last few years alone we have witnessed several interventions and there are currently several ongoing conflicts which require intervention. The African Union struggles to concur on schema to maintain African forces in Somalia, and NATO forces, on the other side, are engaged in fierce battles against Taliban fighters in Afghanistan, all under one name: international intervention. Undoubtedly, international interventions are of diverse nature and are associated with political and ethical hallucination. The trend of international intervention to combat genocide is currently on the rise. It seems after painful lessons from history, the international community is ready to take up that mission effectively. Since 2005 the relationship between the international intervention and the state sovereignty go in line and not in conflict and one may predict that we are about to see new international community as far as international intervention is concerned. This is apparent in the Libyan case; what the international community has achieved in one year in the case of Bosnia and Rwanda in the 1990's, the same international community achieved in one week in the case of Libya.

One could argue therefore that international intervention has come to the forefront since the end of cold war with tremendous achievements in protecting and safeguarding civilian rights, establishing order and initiating peacekeeping process. The fundamental aim of intervention is to lessen the consequences of violent and destructive conflicts. Under the normal circumstances international intervention is ingrained on the implementation of appropriate and authoritative mandates. Protection of human rights and military or economic interests are part of the justifications for intervention. The rationale for intervention is to create international society which holds fast to the international law through diplomacy in order to achieve balance of power. However, the idea of international society conflicts with the demand of absolute sovereignty by

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nations who favor complete political autonomy and the power to act or the quality of being an independent self-governing nation. There are two schools of thought in this regard: *Pluralists* who stick onto minimal rules for coexistence with non-interference in the domestic affairs of the state but allows alliance to deter or resist aggression. The other school, the *Solidarists*, advocate the idea that sovereignty depends on the full coexistence of international society.

The common terms for international intervention are mostly employed to include conflict management and military intervention, peace operation and peacekeeping process, humanitarian intervention and good governance. Without the involvement of international and regional organizations international intervention bears not tangible fruits.

a) *Conflict Management and Military Intervention*

The contention of Kenneth Thomas on the subject could be compelling. He sees conflict management as "the process which begins when one party perceives that another has frustrated, or is about to frustrate, some concern of his." (Kenneth W. Thomas, 1992). It is conventional that conflicts arise naturally in every aspect of human life, at the same time, conflict management is acclaimed as a key skill for all successful long-term relationships and in political framework, it is an effort and initiative to interfere and address the escalating conflict of foreign countries, by regulating and addressing adequately the crisis and effectively solving the conflict. On the global scale, interpersonal conflicts have been intensifying from earliest history to current moments, and for this reason, armed intervention in another satate has been advanced with such regularity since the end of post-Cold War to promote democracy and safeguard national interest and security. The framework for military intervention is grounded in seven categories familiar to strategists and policy makers "national interests, threats, political-military objectives, policy guidance, planning options, resources, and public opinion." (John M. Collins, 1995).

These insights help to underpin decisions to intervene or abstain and to ascertain whether ongoing military operations seem warranted on the targeted regime. According to James Meernik (1996), the readiness of states to wage war and use force against the others is to compel it to become democratic. Although they declare democracy as a goal of the intervention, in majority cases, it does not appear to effectively promote democracy, instead to become a means to attain their political objectives. Key considerations in the use of combat forces abroad as prescribed by Weinberger recognize the unique and universally applicable rules for decisions about interventions. Weinberger outlined six key considerations in the armed intervention: "the vital US or allied interests; clear intent to win; precise objectives

and ways to accomplish them; "reasonable" assurance of public support; military action as a last resort; continual reassessment and adjustments as events unfold." (James Meernik, 1996).

b) *Peace Operation and Peacekeeping Process*

Peace operation and peacekeeping process are comprehensive terms which cover a wide range of activities, whose primary objective is to create and sustain the conditions necessary for peace to flourish. Peace operations comprise three types of activities: *support to diplomacy* (peacemaking, peace building, and preventive diplomacy), *peacekeeping*, and *peace enforcement*. It includes "traditional peacekeeping as well as peace enforcement activities such as protection of humanitarian assistance, establishment of order and stability, enforcement of sanctions, guarantee and denial of movement, establishment of protected zones, and forcible separation of belligerents." (Field Manual 100-23, 1994)

In the post-Cold War strategic security environment, peace operations have dramatically increased and intensified. In its first 40 years, the United Nations (UN) has conducted 13 operations, including the great operations in the Congo during the 1960s. Since 1988, and the succeeding years, the number of peace operations has doubly increase into complex operation. The UN's peacekeeping operation in Cambodia in 1993, marshaled about 22,000 military, police, and civilian personnel from 32 contributing nations, which cost the world community well over \$2 billion. The UN-sanctioned peace operation in Somalia, lead by the US special task force (UNITAF), amassed about 27,000 personnel from 23 contributing nations, which cost \$750 million are not new to the Army. Since 1948, peace operations spearheaded by the US have served in many countries, which include the mission of United Nations Truce Supervisory Organization in the Middle East, Lebanon (1958), the Dominican Republic (1965), and the Sinai (1982) that successfully geared many members of a multinational force and observers (MFO). (Field Manual 100-23, 1994)

Peacekeeping, on the other hand, is defined by the United Nations as "a unique and dynamic instruments developed by the organization as a way to help countries torn by conflict create the conditions for lasting peace". (United Nations, 2005). Peacekeeping is distinguished from both peace building and peacemaking. The mechanism of peacekeeping helps countries worldwide to maintain peace and order. It has proven to be one of the most effective tools of the UN to assist countries navigate the difficult path from conflict to peace.

In most cases, UN Peacekeeping is guided by three basic principles: Consent of the parties; impartiality; non-use of force except in self-defense and defense of the mandate. The aim of peacekeeping is to

reconcile between two conflicting states and to reach final settlement by signing a cease fire. In doing so, peace building can be worked out and the danger of renewed war can be reduced. (Ferdinando R Teson, 2003) Similarly, the rules of peacekeeping is to maintain and monitor the cease fire, to have a mechanism for resolving violation, to secure an invitation from all parties to put peacekeeping force in place, to provide administrative assistance in humanitarian relief, governance reformation, conduct of election, and economic recovery, to support the resolution for peace and to strengthen the relations and interest of all parties. (Michael C. Davis, 2004)

The strength of peacekeeping includes the power of legitimacy, burden sharing, and an ability to deploy and sustain troops and police from around the globe, integrating them with civilian peacekeepers to advance multidimensional mandates. Since the past two decades the UN Peacekeepers have provided security, the political and peace building support to help countries transformed, in an early transition from conflict to peace. (Michael C. Davis, 2004) Peacekeeping mission has been deployed in many configurations. There are currently seventeen UN peace operations deployed on four continents. The multidimensional peacekeeping operations not only struggle to maintain peace and security, but help to “facilitate the political process, protect civilians, assist in the disarmament, demobilization and reintegration of former combatants; support the organization of elections, protect and promote human rights and assist in restoring the rule of law.” (Michael C. Davis, 2004) According to the UN, its peacekeeping missions have built up a demonstrable record of success over the 60 years of its existence, and have pioneered the establishment of the UN Truce Supervision Organization (UNTSO) in the Middle East since 1948. There have been 67 peacekeeping operations worldwide since that time. Peacekeeping continues to adapt to new challenges and political realities and working toward a comprehensive peacekeeping reform, following an increasing demand for complex peace operations worldwide. (Michael C. Davis, 2004)

c) *Humanitarian Intervention*

The complex human crises brought along after the end of World War II and during the bitter struggle between the Soviet Union and industrial democratic nations saw a sharp increase in humanitarian relief operations. In addition, the number of violent intrastate clashes in developing nations escalated, steadily increasing the demand for humanitarian aid. This demand, in turn, transformed voluntary organizations and multilateral institutions into influential development players. The Cold War marked the bitter clash between East and West, constantly locked in an ideological battle. Thus, humanitarian aid was also used as an

ideological weapon. A large amount of the assistance was used to fuel corruption, contributed to coercion on the domestic front, and brought about mismanagement of funds. On the positive side, relief operations gave an opportunity for the citizens of affluent nations to learn about the reality of conflict and deprivation in poor nations. To the dismay of many, the end of the Cold War did not bring about swift improvement towards peace and democracy. Instead, it further intensified the existing political instability and public discord, causing violent civil war especially in countries ruled by authoritarian regimes. These violent clashes resulted in large numbers of civilian casualties and refugee flows necessitating intervention by the UN and other voluntary organizations. Away from the warring regions, humanitarian aid was used as an instrument to encourage support for market-based policies and global economic integration. The practice of offering aid with conditions attached soon was later contended by various development groups which later teamed up in support of debt reduction and poverty reduction. At the turn of the century, the agenda forwarded by these organizations was adopted by the member countries of the UN.

Humanitarian intervention is primarily about protecting entire populations of people, against ethnic cleansing and holding individual elites accountable for such crimes (Michael C. Davis, 2004). J. L. Holzgrefe contends that humanitarian intervention is “the threat or use of force across state borders by a state (or group of states) aimed at preventing or ending widespread and grave violations of the fundamental human rights of individuals other than its own citizens, without the permission of the state within whose territory force is applied.” (L. Holzgrefe, 2003) Ferdinand R. Teson, a well-known supporter of intervention policy, defines humanitarian intervention “as the proportionate international use or threat of military force, undertaken in principle by a liberal government or alliance, aimed at ending tyranny or anarchy, welcomed by the victims, and consistent with the doctrine of double effect.” (Ferdinando R Teson, 2003)

Anthony Arend and Robert Beck argued that for an action to count as forcible humanitarian intervention, it must be constrained to ‘protecting fundamental rights’ and should neither have the blessing of the United Nations (UN) nor the consent of the targeted government.” (Arend and Beck, 1996) The fundamental principle of humanitarian act thus should take into account humane military operation which is responsible to protect basic humanitarian right of the civilian. Daniel Rice defined armed humanitarian intervention as “the use of military force by a nation or nations to stop or prevent widespread, systematic human-rights abuses within the sovereign territory of another nation.” (Daniel Rice, 2007) He defended armed humanitarian intervention as morally justified to maintain political

stability and world order. Michael Walzer, a just-war theorist, in his broad interpretation of legal and political ramifications of military intervention and the legitimacy of violating borders and sovereignty, argues that armed humanitarian intervention is morally justified, perhaps even required, in response to "massacre, rape, ethnic cleansing, state terrorism" (Michael Walzer, 2004). He principally defends that it is "morally necessary whenever cruelty and suffering are extreme and no local forces seem capable of putting an end to them." (Michael Walzer, 2004). Walzer further points out that armed intervention cannot be morally justified to promote "democracy ... or economic justice or ... other social practices and arrangements" that exist in other countries. In his view, it must be limited to ending conduct that "shocks the conscience of humankind." (Michael Walzer, 2004)

d) *Regional Players and Development*

Regional players are vital in ensuring the success of international intervention for a number of reasons. First, they are situated very close to the crises area and are therefore more responsive to calls for early action. Second, their close relation to the local population gives them a better understanding of the socio-political context of the unfolding crisis. Third, their experience in dealing with violent and difficult conflicts in the immediate areas gave regional players the ability to adapt the usual norms and standards for managing and preventing conflicts to give greater impact on local crises. This is particularly true for African regional organizations such as African Union and other sub-regional organizations such as ECOWAS and SADC which maintain in their treaties, the right to intervene in a member state when crisis or humanitarian tragedy is at hand. Some regional players have undertaken bold measures towards preventing conflict thus halting the situation from further deterioration that could have spiraled beyond control (e.g. Nigerian in Sao Tome and Principe; ECOWAS in Guinea-Bissau and Togo). Fourth, some regional organizations have further enhanced their collaboration efforts with local players, particularly civil society groups. This is the case with ECOWAS which has formalized its involvement with West Africa civil society. However, regional organizations have weaknesses which may be rectified by the UN and other development agencies. Successful intervention denotes sharing responsibilities between regional, national and global players.

The UN Secretary-General's report, *In Larger Freedom* (United Nations, 2005) stressed the responsibility of rich countries in developing and ensuring the continuous process of attaining security and development mechanisms in weak states. He further warned that "ignoring failed states creates problems that sometimes come back to bite us". (Report of the Secretary-General, 2005) The UN High-level Panel

on Threats, Challenges and Change also concurs that "development and security are inextricably linked. A more secure world is only possible if poor countries are given a real chance to develop." (Report of the High-level Panel on Threats, 2004)

The vital link between development and security has been observed since the late 1940s where global poverty and the threat of insurrection have always been closely linked. (Mark Duffield, 2001) During the Cold War, humanitarian aid was used as a tool for developing newly independent states and concurrently preventing them from becoming security threats to the Western world. The evolution of intellectual studies on security and development, however, took on opposing approach where each progressed independently of the other. Traditionally, studies on security involved the study of the phenomena of war, threats to peace, and the use and control of military forces. (Joseph S. Nye, Jr. and Sean M. Lynn-Jones, 1998) While security studies dealt mainly with inter-state war and international relations, development on the other hand focused mainly on the domestic front by encouraging economic growth.

e) *Good Governance Democracy and Human Rights*

The concept of good governance became well-known around 1989 and 1990 (Martin Doornbos, 2003) when the international donor community began attaching certain conditions prior to granting development aid. Good governance simply refers to judgment on how a particular nation is run. (Martin Doornbos, 1995) The former World Bank President, Barber Conable, explained that development can only be realized when continuous growth is guaranteed irrespective of the process of "imperfect governance". (World Bank, 1992) One of the key aims of international intervention is to create a platform for good governance, democracy and human dignity.

III. CONTENTIOUS QUESTIONS SURROUNDING INTERNATIONAL INTERVENTION

There is no globally accepted specific theory for international intervention available in the literature or among academics and policy makers. Nonetheless, some scholars on the subject study vulnerability and ethnic ties as emerging theories of intervention the proposition of these two ideas is itself old as it was customarily used to explain third state intervention in ethnic and secessionist conflicts. (Mueller John, 2000) Vulnerability theory therefore attempts to explain why states should observe international standard of non-intervention, non-irredentism and internal affairs of each other. It is about the principle of cooperation to discourage secessionist movements and ethnic tension. The counter argument to this vulnerability scheme is not supported by politically pragmatic facts; for instance, vulnerable states are not necessarily dissuaded from supporting secessionist groups in another state. This

position shed staid doubt on the soundness and strength of the vulnerability theory. (Pearson, 2004) Ethnic tie as a theory of motive for third state intervention is also seen as paramount mechanism to the development of international intervention. (Pearson, 2004) The argument of ethnic tie theory is based on the fact that states support the side of an ethnic divergence that shares ethnic ties. (Mueller John, 2000) Hence, the ground for its motive is that when an ethnic variance appears the third state would support actors with which it shares an ethnic affinity or empathy.

Why international community must intervene in internal conflicts? This is a relevant question and the direct answer to this question is to stop perpetrator. In fact, it was a malfunction of history and letdown on the part of the international community to allow high-profile atrocities in Bosnia, Rwanda, Somalia, Afghanistan, Kosovo, Ogadenya, East Timor, and others including Darfur and more currently Syria. It is a simple fact that, placing a well-resourced substantial force that are consciously prepared to protect the victims would have prevented the bloodshed or at least minimized the escalation of violence. Scholars talk of timely intervention, which denotes quick response to violence and atrocities. (Feil, 1998)

Likewise, these genocides should be blocked at its initial stage at the expense of so-called state sovereignty. Besides, intervention comes in the form of expected economic gains, military power, natural resources, regional stability or national security. Another reason for intervention could be common identity including shared culture, language, religion or ethnic ties. Hitherto, there are interventions done under the motive of past injustices, sympathy, or common ideologies and principles. Other related reasons for intervention could be based on security threat and maximization of power particularly international security. Whatever the reasons might be, the ensuing conflicts of ethnic clash, tyrannical rule and repressive governance in the world warrant an instant interference from collective powers to impose certain sanctions and find solutions to the subsequent political and humanitarian predicaments (Pearson, 2004)

Based on this viewpoint, international intervention occupies an important role to bring changes to the old approach. Therefore, the currently formulated approach of intervention is largely an ideal approach to face the challenges detrimental to human right and global institutions, as outlined by Kofi Annan: "if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica – to gross and systematic violations of human rights that offend every precept of our common humanity?" (Kofi Annan, 2000). Nonetheless, contentions and questions surrounding intervention are plenteous and found in diverse aspects of international intervention. International law is the

guiding mechanism for international intervention. The most difficult question in international law and its relation to international intervention is whether armed humanitarian intervention is morally justified. It is an established tradition of international norm that fundamentally recognize all nations to have rights of sovereign power, which traditionally denotes that they exercise exclusive political control within their borders. (Jerome Slater and Terry Nardin, 1986)

Thus, intervention, by force against the political sovereignty or territorial integrity of another nation, has traditionally been considered aggression in international relations, which clearly breach foreign land and has its bearing on moral, political, and legal ramifications. However, as contended by Jerome Slater and Terry Nardin, "intervention is justified, at least in principle, in many cases where governments are responsible for substantial and systematic violations of human rights, even when such violations fall short of genocidal proportions." (Jerome Slater and Terry Nardin, 1986) The same authorities on the subject maintain that it is morally appropriate to intervene into other nation's territory, and they recognize non-aggression approach, peaceful political coercion which can occur through armed force or other coercive but peaceful instruments of political power. Jerome Slater and Terry Nardin, claim that the seriousness of the human rights violation determines the degree of protection against intervention, arguing that: "the grosser the violation, the weaker the claim to such protection" (Jerome Slater, 1986) This approach contends that it is morally appropriate to demand foreign intervention and impose comprehensive sanctions on the purported regime, and battling growing violence and crisis.

Besides, Thomas M. Frank, an expert on international law, insists that such intervention may be morally justified "if the wrong perpetrated within a state against a part of its own population is of a kind specifically prohibited by an international agreement (e.g., the Convention on the Prevention and Punishment of the Crime of Genocide; treaties regarding racial discrimination, torture, the rights of women and children; the International Covenant on Civil and Political Rights (ICCPR); and agreements on humanitarian law applicable in civil conflict.)" (Thomas M. Franck, 2002) This position implies legalistic justification for intervention, based on generally accepted concepts of morality and fundamental human rights. With its reference to international legal instruments in a wide variety of circumstances, such as the principle embodied in ICCPR relating to the rights of women and children, it demonstrates the principal terms to justify armed intervention. (Thomas M. Franck, 2002)

Be that as it may, the intervention of a nation in another's internal affairs must abide to the rules of international law and objectives set out in the UN Charter against the use of force by states except in self-

defense against an armed attack (UN Charter article 2 (4), and must reflect two important objectives of international law: principle of peace and justice. (Thomas M. Franck and Nigel S. Rodley, 1973) Nevertheless, it is a complex conception to justify the use of military force, as the only way to address all sorts of racial, gender, or ethnic discrimination. The primary target of international intervention is to plot a course for the solution between the warring parties and "to find out a peaceful solution to the crisis" (Thomas M. Franck and Nigel S. Rodley, 1973) this is in fact the underlying objective of international intervention. When armed, intervention aims to lessen the consequences of conflict, protect self-autonomy and human rights and establish order and political stability. (Thomas M. Franck and Nigel S. Rodley, 1973)

So far one thing is clear that, international intervention created both legal and political predicaments and dilemmas for the world communities, political leaders and decision makers. The moral questions and contentions surrounding international intervention, the evolving political, economic, and the debate over the justification and legality of international intervention under the current international legal framework or the issue territorial integrity are all part and parcel of these predicaments confronted by the international community. There are those who argue international intervention is justified on humanitarian grounds, particularly when there are coarse instances of human rights abuses occurring. It is the current conscience of international community that classical notion of state sovereignty must be revisited and reevaluated, more so, for the failed states. Nonetheless, since the horrible disasters that took place in Bosnia and subsequently in Rwanda the international community came to agree on the conviction that international norms must advance to a level of acceptance to intervene a crisis at the expense of state sovereignty.

In the past the international community has failed in this regard but these failures must not be taken as an excuse. Javier Perez de Cuellar (1991) the former Secretary General of the UN, acknowledges that "the fact that in diverse situations the United Nations has not been able to prevent atrocities cannot be accepted as an argument, legal or moral, against the necessary corrective action, especially when peace is threatened". Similar arguments are seen in Boutros-Ghali. In his mission statement "An Agenda for Peace", (1995) he ricocheted the same sentiments. Kofi Annan's (1998) pragmatic convictions are that: "state frontiers should no longer be seen as watertight protection for war criminals or mass murderers.". However, the international community is aware of the fact that state sovereignty may not be easily defeated without structural political and legal transformation. Others raise contentions on the method used to apply international

intervention. One method is economic and trade related sanctions, this could be through decisions based on international cooperation in view of international law and global justice. (Evan Mawdsley, 2007) Other imperative methods employed are nation-building, occupation, and national security approaches. Although sometimes these methods raise contentious concern as they are seen mere pretext to fulfill national or personal interest. In this respect, the intervention could be in a form of policy, military, corporate, or religious (Evan Mawdsley, 2007) Intervention could be non-hostile. The non-aggressive or non-hostile intervention make use of soft approaches through diplomatic resolutions, humanitarian delegation, and humanitarian aid, as well as through consultation. This approach is of the conviction that belligerence is inherently illegitimate, but does not preclude defense against aggression.

IV. RELIGIOUS DIMENSION IN THE STUDY OF INTERNATIONAL INTERVENTION

Studies on religion and its relation to international intervention present not so convincing or straightforward recommendations. This is due to the fact that there exists extreme disparity between various forms of religion as well as between ranges of international intervention. One of the authorities on the subject, Marc Gopin, deliberated, in his book *Between Eden and Armageddon: The Future of World Religions, Violence, and Peacemaking*, the complex character of religion. (Marc Gopin, 2000) Gopin also pointed out the necessity of religious and cultural sensitivity in international interventions, at the same time; he contended that religion has taken the central dimension of statecraft with the new tendency on the part of international community's recognition of the importance of religion in peacemaking, diplomacy, and conflict management.

On that line, religion is always part of a bigger collective and cooperative societal framework. It effects not only on the political, cultural and economic processes, rather it influences the future of governance for the state and election outcomes. However, when it comes to peacemaking and conflict management religion must be accompanied with other elements of social cohesiveness as it cannot be the main cause factor of any armed conflict. That is to say, other transformations and resolutions including diplomacy have to go along with religious dimensions in the context of successful international intervention. With its normative flavor and transcendent nature, religion provides identity. This form of identity is stronger when it compared to ethnic, economic or geographic. I have the propensity to believe that one of the *raison d'être* on why the international interventions failed to bring lasting peace for Somalia is the religious factor. In conflicts, like that of Afghanistan and Somalia where religion plays an

imperative part the international community have failed to understand the main issues to identify common ground and diagnose the infection. Religious issues are more complex, and to the downbeat, religion has been a major source of ethnic conflicts. In fact religious conflicts attract political intervention by foreign states.

Religion motivates peace and in some ways directly or indirectly stimulates conflict. At the same time, other contentions expose that, religious sentiments have been perversely distorted by humans for egotistic goals; issues of religious terrorism and religious-based conflicts cannot be directly found in the teachings of major religions including Christianity, Islam and Judaism. In spite of the quasi-paradigmatic (José Casanova, 1994) situation of marginalizing the role of religion in peace and security initiatives in the world and creation of false assumptions that modernity has made religion irrelevant in the public sphere and in the political life, relevant empirical research and data in the last decades reveal that instead of declining and eventually disappearing, religion persists both in the individual conscience and in the public sphere, continuing to shape the political beliefs and practices of a great number of people and institutions throughout the world. On balance, the relationship between religion and peace or security is therefore, relevant to our study. No religion is inherently vicious or peaceful it is us, the humans, who determine the position of religion in each intervention. Besides, for the past two decades, religion has been politicized and unfortunately used as a tool by warring violent parties. In its organic understanding however, religion remains momentous element in conflict management, peacekeeping, humanitarian aid and in international intervention as a whole.

This is due to the fact that religion offers distinctive sets of morals, values and beliefs which in turn motivate quick resolutions and reconciliations among the conflicting parties. Religion employs spiritual elements in the process of peace making initiatives. There are numerous examples of conflicts throughout the world that were transformed through religious basis. The Holy See, for instance, has effectively arbitrated the conflicts in Argentina and Chile, due to some exclusive assets of moral authenticity and impartiality. St. Egidio Community was actively involved in the peace process in Mozambique, Burundi, Congo and Kosovo, using a Catholic-inspired approach. This is normally termed the principle of faith-based diplomacy. (Malcolm B. Hamilton, 1995)

Islam for instance, teaches pragmatic and resilient ways of conflict resolution. There are various incidents in the Qur'an in which it is evidently clear that the process of conflict resolution is addressed. Instance of this is Sura Yusuf which signifies the process of conflict resolution. Elsewhere, in the Qur'an Muslims are exhorted to safeguard against the malevolencies which fraudulently distorts collective life and ruins communal

relationships in the society. For this the Qur'an is against mocking each other, calling names, creating suspicions and spying into other people's affairs; all these attitudes cause and instigate conflict. In fact, racial intolerance and other forms of prejudices as well as iniquitous treatments are all condemned by the Qur'an.

Meanwhile Islamic history and civilization depict political compromise and coexistence among Muslims and people of other faiths. The illustrious treaty of Hudaibiya neutralized the disagreement between the Quraish, the Muslims and the Jews. During the lifetime of Prophet Mohamed followers of major religions including Christians, Jews and Muslims lived in harmony under one leadership. In fact the understanding was that the common values shared by these religions applied in a comprehensive worldview of common consciousness. These aspects of religious teachings have not been employed to find solutions on the current religious and ethnic conflicts in the world. Similarly despite the increase in the attention to the religious facet of conflicts, it remains an under-researched area of study, at the same time, religion is a party in violent conflicts, and simultaneously it could be engaged as an active peace-maker and peace-builder. One of the fundamental principles of Islam is humanitarianism. Helping others who are in distress is part of Islamic faith and it is seen as indispensable element of religious practice for a Muslim.

V. CONCLUSION

Religion has inspired diverse conflicts in the past both in the regional levels and at the world stage and remains a major source of internal and international conflicts, at the same time, its role in humanitarianism, peacekeeping and military intervention could not be denied. In fact, in recent years its role has intensified and as such attracted huge attention. Those who oppose religion as a mechanism for peace argue that religion is responsible for the most of the world conflicts and on the contrary, those who see religion as an instrument of peace opine that religion is a peace builder and it could help the international community to find solutions to internal and international conflicts through religious orientations on the ground. The contention of this study has consistently been that unlike those who disregard the role of religion in international intervention, the values and the ethos of religion remain and will continue to hang about in any internal or international conflict in the world. During the course of modern human history we have witnessed ideologies and epistemic systems which have emerged to subtract religion of its powers; these include modernity, secularization and empiricism. But the social and spiritual relevance of religion repudiated to cease existence. On balance, more than two thirds of the world population belongs to a religion and religious oriented

individuals and organizations have vast networking facilities. Similarly, religion offers utilities needed in international interventions including forgiveness, spiritual appeasement and voluntarism. Through these means religion could be employed to monitor conflicts and provide peace services.

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Incidence of Poverty and Vulnerability to HIV/AIDS Attack in South Western Nigeria

By Dr. I.O. Fayomi

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The study adopted both primary and secondary sources of data. Primary data were obtained from interview conducted on few randomly selected (100) patients of the People Living With HIV/AIDS in Ilesa Osun State, South Western Nigeria while the secondary data were gathered through journal articles, government documents, library, internet and daily news papers. .

The findings of the study revealed that there is a positive relationship between level of poverty and infection of HIV/AIDS especially among female adolescents It further revealed that the poor female adolescents are more susceptible to attack of HIV/AIDS infection than those coming from the rich family background. This assertion was confirmed by 70 percent of our respondents

The paper concluded that there is a strong relationship between poverty among female adolescents and tendency to be vulnerable to HIV/AIDS attack.

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I. INTRODUCTION

Health is wealth and it is a trite fact that socio-economic development of any nation is a function of how healthy her population would be. Nigeria is presently facing a health crisis. This is so as there are social and cultural factors that contribute to the bane of the Nigerian health care system. Hitherto, infectious and parasitic diseases account for nearly 2/5 of deaths in Nigeria and these are preventable and curable Akinkugbe, (1996). Unfortunately Nigeria is now among the 24 poorest countries of the world with her low per capita income. She is now ranked one of the countries with the lowest level of child survival and one of the highest level of maternal mortality in the world Orubuloye and Ajakaiye, (2000).

Worse still, 3.47 million people are estimated to be living with HIV/AIDS with the highest concentration of those infected in the age bracket 15-49 (Federal Ministry of Health publication and the 2001 National HIV sentinel survey). The current prevalence rate of HIV infection in Nigeria among sexually active members of the population is said to be 5.8% and 4.3% in Osun State (FMOH 2005).

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II. REVIEW OF LITERATURE AND CONCEPTUALISATION

HIV infection is a slowly progressive killer disease and it is one of the greatest problems of late 20th century that has attracted the attention of health policy makers. The fatal devastating effect of this mysterious disease is felt in all countries of the world. There is hardly any community that is immuned or totally free from the killer disease. This makes it pandemic. The cure for HIV/AIDS has continued to defy scientific research as it is a mystery to health policy makers, medical scientists/professionals, health administrators and researchers. Two decades have rolled by when the first case was diagnosed in Nigeria in 1986 and yet no cure is in sight. Thus this study will identify the general causes of the attack of HIV/AIDS in the Southwestern Region of Nigeris; and establish any correllation between poverty as a variable and vulnerability to AIDS attack among the victims of AIDS.

The pandemic disease has not shown any signs of slowing down and the prevalence remains unacceptably high at 5.0% as reflected by 2003 adult prevalence survey, (Federal Ministry of Health Abuja).

Acquired immune Deficiency Syndrome (AIDS) is a disease of immune system that makes the individual highly vulnerable to life threatening infections and diseases. AIDS is said to be caused by retrovirus known in the medical field as the human immunodeficiency virus or HIV which attacks and impairs the body's natural defense system against diseases and infections. Thus HIV is a slow-acting virus that may take years to produce illness in a person. An HIV – infected person's defense system is impaired and consequently other viruses, bacteria, fungi and parasites take advantage of this opportunity to further weaken the body and cause various illnesses and conditions such as pneumonia, tuberculosis, cancer, oral thrush, diarrhea etc. Currently there is no cure for the disease.

III. TRANSMISSION

The disease is transmitted through three primary routes:

- Having unprotected sex with a person already carrying the HIV virus.
- Transfusion of contaminated blood of HIV virus and its bye products or use of non-sterilised instruments

such as shared needles, razors and other surgical tools and

- iii. From an infected mother to her child or mother-to-child transmission (MTCT), during pregnancy, childbirth or breastfeeding.

Ordinarily, in most of the developing world HIV is transmitted primarily through sexual intercourse with already infected person.

This study attempts to grope into the causal relationship between poverty level of individual and vulnerability to HIV and to this end, a review of literature on epidemiology is addressed to establish a non clinical factors that can cause individuals to be vulnerable to the attack of the infectious killer disease (HIV) and suggest health policy directions and measures to be taken by health public policy makers. While Nigeria has not suffered the same prevalence of HIV as countries in East and South Africa, the effects of the pandemic disease are no less devastating. According to the Federal Ministry of Health (FMOH, 2003), AIDS is one of the top leading causes of death in adults aged 15-49 years.

The results of the 2003 National Sero-prevalence sentinel survey recently released found the median prevalence rate to be about 5% lower than the 5.8% recorded three years previously. There are marked variations in the locations in which the sentinel survey was conducted with certain locations indicating explosive epidemics while others had lower prevalence. There is no exaggeration that no community is exempted as nearly all states now have general population prevalence of over 1%. Literature has revealed that, generally the highest prevalence was found in the age bracket 20-29 years. In Nigeria, going by zones, the highest prevalence was in the North Central Zone while the lowest was said to be in the South West Zone while HIV prevalence was higher in urban population than in the rural area, except in South East zone. Generally, rural prevalence was close to urban hence the need to target both populations equally.

Furthermore, Cross River State had the highest recorded prevalence of 12%, Benue State 9.3%, Federal Capital Territory 8.4% while the lowest prevalence was found to be in Osun State at 1.2%. It has been observed that 90-95% of HIV transmission in Nigeria is through unprotected sex, the 2003 sentinel survey uncovered a high HIV prevalence in women who had ever had a blood transfusion in the northern states Akinrinola et al, (2004). We will now examine basic clinical concept and management

IV. BASIC CLINICAL CONCEPT AND MANAGEMENT

HIV is expanding rapidly and is depleting progressively the immune defense mechanism of those affected with the virus and according to (Gilks, et al

1998) elicits different responses among those infected depending on some factors which include the environment, nutritional status and even emotional characteristics of those infected.

On the clinical side, the word 'syndrome' has often been used to capture a collection of clinical signs and symptoms that are characteristically seen in an infection. All the disease entities or signs and symptoms that have been documented in HIV infection that ultimately leads to the syndrome called AIDS are endemic in human beings for centuries. Such symptoms include tuberculosis, loss of weight, fever, diarrhea, pneumonia, skin rashes, neurological problems and eye problem etc. However, there are "individual responses" to infections and situations in any given entity. Perhaps this is why (Soyinka, 2002) asserts that manifestation of AIDS may be different from individual to individual and from countries and continent.

Following infection, the natural history of HIV is of progressive immuno-suppression, with the infected individual passing through different stages of the disease. Thus

- 1) Those uninfected but at risk;
- 2) Asymptomatic HIV- Positive individuals;
- 3) Early HIV disease;
- 4) Late disease or AIDS and the terminal stage.

V. CARING FOR PEOPLE LIVING WITH HIV/AIDS

Although preventing further spread of the disease is essential especially in controlling the AIDS epidemics, health workers and administrators must also care for more than 36 million people already infected with the virus. In the absence of cure or accessible treatment for now, providing care often means helping People Living with HIV/AIDS (PLWHA) to cope with the psychological, social and physical burden of a terminal outlook.

There is now a general recognition that comprehensive care should be provided through all stages of infection. This has become necessary in order to mitigate the impact of HIV/AIDS among People living with HIV/AIDS and according to (Wilkinson 2000), it is an essential component of prevention strategies against the disease. The importance of this care and support for PLWHA lies in encouraging people to come forward for voluntary counseling and testing and by doing so they can be educated on the disease transmission and how to protect their sexual partners.

There are models to the provision of care for PLWHA which could be in form of ambulatory care, hospitalized care, community care, the home-based care and the peer support group. We will briefly review one of them which is community – Home Based Care. In the words of Praag et al, (2001), CHBC is a care given to an individual in their own natural environment by their

families supported by skilled social welfare officers and communities to meet spiritual, material and psychosocial needs. The overall goal of CHBC programmes is to prevent HIV transmissions and to reduce the impact of HIV/AIDS in individuals, household and society at large. The objectives of CHBC are not only to reduce the congestion in health institutions, but also to ensure a high quality of medical, nursing and social support to every person care for at home.

So Home-based care is now broadly taken to mean any form of care given to the sick people in their own homes. Home care rooted in the community has proven more successful and more efficient than medical outreach programmes. Community volunteers are trained to offer counseling, basic nursing care and practical advice about nutrition, hygiene and preventive health care.

PLWHA need comprehensive care delivered across a continuum that extends from the home to the hospital and includes community organizations as well as the formal health care system. Furthermore, a referral system and consistent discharge planning links services together so that PLWHA can seek care at the most appropriate level and between levels of care Osborne, (1966).

Obviously, the burden of every day care falls on family members especially in the latter stages of HIV/AIDS. The family care givers face a list of tasks such as helping to feed, toilet, bathing the patient, cleaning and dressing sores and ulcers, administering medications and providing comfort and company. CHBC programme can give them training and psychological support they need to do these jobs well, including a thorough grounding in infection prevention or control. Helping families affected by AIDS to meet basic need for food, water and shelter can be as important as offering nursing care and counseling.

This brings us to the issue of poverty and vulnerability to HIV. This implies that if the above mentioned care could not be provided due to abject poverty of the family of People Living with HIV/AIDS, there may be tendency for the disease to spread through promiscuity and prostitution when the basic needs for sustenance cannot be provided. This leads us to the relationship between concept of poverty and HIV prevalence in Southwestern Nigeria.

VI. CONCEPT OF POVERTY

Various literatures seem to have agreed that poverty is a form of deprivation and it thus exists when there is lack of means to satisfy critical needs. The concept may be absolute or relative. It is absolute if it expresses the inability of an individual or household to consume a certain minimum of basic needs for human survival while it is relative when compared with the welfare of those with the lowest means of survival in the

society (Ogwumike 1996). In the words of Ali (1992), a family is said to be poor if it spends a very high percentage of its income on basic needs such as food, clothing, housing, health care and transport with very little left for a rainy day.

According to Kakwani and Pernia (2000), the poor have much lower well being than the non poor because they lack the resources to satisfy the minimum basic necessities of life. Furthermore, poverty is multi dimensional. Thus it could be physiological deprivation, social and human freedom deprivation. These three concepts derive from the attempt to determine how much poverty does exist. So, on the basis of some norm (poverty line) the number of the poor (incidence) will be the total population whose per capita household expenditure is below the line: the depth of a person's poverty is the average percentage by which his/her per capita expenditure falls below the poverty line.

In Nigeria, there is no officially proclaimed poverty line; the Federal Office of Statistics has therefore selected household per capita expenditure as a means of measuring poverty. The extreme poverty line is therefore one-third of mean per capita household expenditure. However, it should be noted that poverty is not the same as inequality. According to the World Bank in its World Development Report (1990), whereas inequality refers to relative living standard across the whole society and poverty is concerned with absolute standard of living of a part of society that is the poor. We will now consider the nexus between poverty and attack of HIV/AIDS.

VII. THE RELATIONSHIP BETWEEN POVERTY AND HIV/AIDS ATTACK

Arising from the interview of the purposive sample of 100 patients of People Living With HIV/AIDS in the South Western Nigeria, it was observed that one of the cardinal conditions stated by the respondents especially the young ones, is that they got infected through prostitution and promiscuous life. And when questioned further why they decided to live promiscuous life, they answered that their parents were poor and there was no means of livelihood for them hence they had to commercialise their sex.

Some of the respondents revealed that they were forced by their guardians to go into prostitution due to poor care. Not less than 70% of those interviewed affirmed that unemployment, poverty, inadequate care and child abuse could explain their present health predicament. In short, physical deprivation, meaning inadequate or complete absence of consumption of basic needs – food, clothing, housing, other social comfort, care, education and unemployment are immediate causes of poverty which forced them to go into illegal business of prostitution where they were consequently infected with HIV/AIDS.

Perhaps the above empirical findings lends credence to Nigerian Federal Government Policy on Poverty Alleviation and thus the policy becomes more relevant. In the course of this study it was revealed that the implementation of the policy seems to have suffered a set back due to poor funding

Due to macroeconomic policy distortions in the early 70s, the Nigerian economy despite its vast resources, has not attained the necessary institutional and structural changes that would guarantee rapid and sustainable growth and development, and acceptable minimum standard of living. Furthermore, the productive and technological bases which form the prime movers of activities are weak, narrow, inflexible and largely dependent on the external sector for sustenance. The economy is still monolithic, dependent mostly on oil with weak sectoral linkages and high vulnerability to externally generated shocks. The social and economic infrastructures are weak, inadequate and lack maintenance and the private sector is weak, shies away from productive investment and oriented towards distributive activities. The effectiveness of incentives to the private sector is generally poor while the productivity is low.

The above economic dislocations or rather distortions gave rise to unstable growth patterns and low social indicators which manifested in deplorable poverty situations. The collapse of crude oil prices in the international oil market in the early 1980s, coupled with unabating expansion in aggregate consumption demand plunged the Nigerian economy into crisis. Consequently, the economic and social activities as well as macroeconomic aggregates plummeted.

It is an issue of concern that despite concerted public sector efforts to redress the economic situation and reverse the trend through the revision of economic management strategies, these features prevailed up to the late 1990s. Arising from the fundamental defects of the economy, there was high level of unemployment, low capacity utilization and inadequate local and foreign direct investments. Other undesirable features that prevailed included defective or inappropriate technology and low social indicators particularly as related to education and health.

Arising from the above, Nigeria experienced worsening poverty situation in the 1980s and 1990s. The

incidence of poverty rose from 46.3 percent of the population in 1985 to 65.6 percent in 1996. The depth and severity of poverty as well as income inequality also worsened during the period. The rural areas and vulnerable groups, especially women are affected most by the worsening situation. The uneducated people with large family size and those engaged in informal sector, particularly agriculture, were among the most affected. The Nigerian situation had been made worse by the rapid annual population growth rate of about 2.83 percent since the 1970s giving rise to a high dependency ratio and pressure on resources in several areas NARHS (2005).

In view of the above scenario, the policy on poverty alleviation becomes relevant. As earlier mentioned, poverty is complex and multidimensional. It is a dynamic process of socio-economic and political deprivation which affects individuals, households or communities resulting in lack of access to basic necessities of life. Conventionally, poverty is viewed in terms of insufficient income for securing the basic necessities of life, that is, food, clothing and shelter.

Specifically, poverty is a condition which has the following characteristics; that is, not having.

- i. enough to eat
- ii. poor drinking water
- iii. poor nutrition
- iv. unfit housing
- v. a high rate of infant mortality,
- vi. low life expectancy
- vii. low educational opportunities,
- viii. inadequate health care,
- ix. lack of productive assets,
- x. lack of economic infrastructure and
- xi. inability to actively participate in decision making processes. The consequential effects of the above include
 - a) state of powerlessness,
 - b) helplessness.
 - c) Despair, and thus the inability to protect oneself against economic, social, cultural and political discrimination and marginalization.
 - d) Deprivation and lack of rights
 - e) Defenselessness and insecurity, vulnerability to infection and exposure to risks, shocks and stress.

See table 1 below.

Table 1 : Incidence, Depth and Severity of Poverty.

Year	Poverty Level	Estimated Total Population	Population in Poverty
1980	27.2%	56m	17.7m
1985	46.3%	75m	34.7m
1992	42.7%	91.5m	39.3m
1996	65.6%	102.3m	47.1m

Source : Federal Office of Statistics, Poverty Profile for Nigeria: 1980 – 1996.

Perhaps the above situation compelled the Federal Government to formulate National Policy on Poverty Alleviation

VIII. POLICY DIRECTION

In Nigeria, poverty alleviation strategies have been seen as part of general government efforts directed at economic growth/development and have been pursued mainly through policies and programmes for achieving more equitable distribution of income. To this end, various policies and programmes have been designed for the poor or at least to reach them.

In the post-1986 period, programmes like National Directorate of Employment (NDE), Primary Health Care (PHC) etc were put in place. With the adoption of the Structural Adjustment Programme which was prompted by the worsening economic conditions in the country, palliative measures were adopted. New policies and programmes were initiated and the old ones which were on the verge of collapse were being reactivated. These programmes which were expected to impact positively on the poor did not achieve the set goals because they were not targeted to address poverty in the real sense of it.

Arising from the forgoing, there was need for overall policy to guide poverty alleviation efforts in Nigeria. Such National Policy is to sensitise and mobilize policy makers, the international community, Non-Governmental Organisations (NGOs) and the private sector. The National Poverty Alleviation Policy thus provides the framework for the actions of the various stakeholders. Thus:

- i. Inspire, direct and coordinate the actions of institutions, individuals, groups and act as a driving force that propels the actions of stakeholders towards poverty alleviation;
- ii. Sensitise and increase awareness on the poverty situation and the dangers of wide spread poverty on society;
- iii. Mobilize all citizens in the fight against poverty; and
- iv. Inform the nation of Government's position on poverty.

IX. POLICY STATEMENT

The government of Nigeria is fully aware of the dangers of the wide spread poverty and realizes the implications of the worsening poverty situation on the utilization of resources, growth and the development of the economy. The Government is fully aware of the symbiotic relationship between worsening poverty situation and slow overall development. Within the context of a well articulated policy framework, well coordinated institutional arrangement, effective monitoring and evaluation, the government, intends to achieve the following:

- a) Good quality life;
- b) Re addressing the situation of high incidence of poverty;
- c) of absolute poverty;
- d) Implementation of pro-poor economic growth patterns.
- e) Efficient harnessing of the enormous human and natural resources of the country.

Apparently, the thrust of the poverty alleviation policy is to improve the living condition of the most vulnerable groups.

X. POLICY OBJECTIVES

The overriding objective of the poverty alleviation policy derived from the government policy statement which, is to broaden the opportunities available to the poor and ensure that every Nigerian has access to basic needs of life, food, potable water, clothing, shelter, basic health services and nutrition, basic education and communication as well as guaranteed respect for fundamental human rights. The overall goal is improved living conditions for the poor in Nigeria.

In order to achieve the above set objectives the following sector specific objectives are being pursued:

- (i) Good governance and stable macroeconomic policy.
- (ii) Attainment of basic education for all, irrespective of location, sex, religion or tribe,
- (iii) Facilitation of access to credit, and promote entrepreneurship through income generating activities, productive resources and employment opportunities for every Nigerian irrespective of sex, creed, location or tribe;
- (iv) Improving the living conditions of the poor through targeted, cost effective, demand-driven and promptly delivered programmes,
- (v) Increase the productivity of the poor both in the rural and urban settlement by providing opportunities for access to assets such as land and equipment.
- (vi) Improve the participation of the poor in decision-making especially on issue affecting their lives, and also mobilize their talents for common development project for nation building.
- (vii) Promote the development of better and more appropriate technologies information to farmers and other productive sectors, for adoption and commercialization.
- (viii) Assist and enhance the capacity of the poor through self-help programme on sustainable basis. This could be done by strengthening local institutions to provide social-safety nets, which will rescue transient poverty emergencies at local level.

- (ix) Improve the nutritional value of the poor through sustainable agricultural production for food security and better health care practices.
- (x) Provide more participatory governance through a national institutional arrangement whereby each stakeholder, including government agencies and donors become proactive partners in the process of poverty reduction.
- (xi) Evolve appropriate price mechanism for agricultural, industrial, commodities and services.

XI. CONCLUSION

What we have attempted in this short presentation is to examine the effect of poverty on the incidence of Acquired Immune Deficiency (HIV/AIDS) in South Western Nigeria.

In doing so, we went into review of literature on the concepts of poverty and HIV/AIDS. While the paper asserts that Acquired Immunodeficiency Syndrome is for now an incurable disease and it is a contemporary major global public health problem, poverty, on the other hand is defined as a dynamic process of socio-economic and political deprivation which affects individuals, households or communities resulting in lack of access to basic necessities of life. An exploratory study of Living Hope Care and Support Outfit, Ilesa, Osun State was carried out using purposive sampling technique (100 PLWHA) between incidence of HIV/AIDS and poverty.

Finally the paper considered the Federal Government National Policy on Poverty Alleviation. It concluded by recommending that since, there is yet to be discovered a cure for the HIV/AIDS patients, the poverty which forced the young ones to engage in prostitution and get infected by HIV should be seriously addressed with rigor and political will. The National Policy on Poverty Alleviation should be faithfully and religiously implemented as this will go a long way to curb further infection and reduce incidence of the incurable disease which is ready to destroy entire humanity if care is not taken.

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The Role of Urban Governance to Enhance Kuala Lumpur City-Region Development

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Keywords : Globalization, local government, city-region, international economy, economic tranformation programme.

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Abstract - In the age of globalization, it was argued that major cities in the region should be positioned in the global city system, in order for these cities and their immediate regions are effectively developed. At the same time, the emergence of new global economic and informational societies has created a new form of spatial development, the global cities. Such status was achieved only when a city and its region becomes a major center of international finance, transnational corporate headquarters, related high-level and specialized services, information processing and advanced telecommunications, a city with an international command and control functions. The aspiration for Kuala Lumpur City-Region (KLCR) is to drive rapid growth parallel with upgrading the city's liveability, according to the Economic Transformation Programme (ETP)'s A Roadmap for Malaysia. For this National Key Economic Area (NKEA), KLCR extends beyond the boundaries of Kuala Lumpur. It is defined as an area covered by 10 municipalities, each governed by local government (LG) - Kuala Lumpur City Council (DBKL), Perbadanan Putrajaya, Shah Alam City Council (MBSA), Petaling Jaya City Council (MBPJ), Klang Municipal Council (MPK), Kajang Municipal Council, Subang Jaya Municipal Council (MPSJ), Selangor Municipal Council, Ampang Jaya Municipal Council (MPAJ) and Sepang Municipal Council (MPSp). The successful implementation of the ETP will lead to additional business opportunities, urban economic and enhance liveability within KLCR. To what extent the above how these LG can participate to enhance KLCR development? It is the intention of the paper to deal with such a question, with particular reference to government initiatives to enhance the development of KLCR. Although KLCR has substantially part of the international economy for the past three decades, it this paper argued that KLCR play a significant role to the global or even regional control functions that world cities proposes.

Keywords : Globalization, local government, city-region, international economy, economic tranformation programme.

I. INTRODUCTION

In the context of globalization, local government (LA) is increasingly faced with complex challenges. Urbanisation is a natural constituent of civilisation and development, a consequence of economic changes that take place as a country develops, and an essential phenomenon that contributes to the growth process at large. However, the positive role of urbanisation is overshadowed by the enormous problems it brings in its wake. Urban management, therefore, is concerned with policies, plans, programmes and practices that seek to

ensure that population growth is matched by access to shelter, basic infrastructure and economic opportunities.

Managing the affairs of a city-region is an iterative process of planning, implementation and control of some or all of these aspects and the complex inter-relationships among them. In recent years, it has been recognised the world over that effective management of urban areas requires a shift from technocratic processes traditionally utilised by urban planning agencies to a more inclusive process involving a wide spectrum of actors and stakeholders (Boschken 2008).

Urban need to be governed efficient and effective to promote a sustainable and conducive environment as a place of work and living. At the same time, the uniqueness of urban should also be preserved to maintain its image and distinct identity. City-region is a catalyst and contributor towards the national economic growth, a centre for innovation and entrepreneurship and a source for high social services. LG will help to generate a competitive national development in the context of physical, economy and social. Therefore, development potentials that exist in city-region should be continuously adopted and supported as a place for investment and providing services of a high level. With the rapid pace of urbanization in Malaysia by 2020, LG is faced with various complex challenges ahead (DTCP 2006).

II. OBJECTIVES

This paper will discuss the effects of globalization, economical crises, competitiveness and development on the urban structure and city form of KLCR. Malaysia has successfully applied economic planning to guide the development of the country from an economy of agriculture and mining to a largely industrialised one. Now, with its sights set on attaining the economic level of a fully developed nation by 2020, the planning system must be made even more efficient and focused.

This paper also discuss on the role of LG to enhance KLCR development and competitiveness. In this framework the influence of Foreign Direct Investment (FDI) will be analyzed as well as the role and potentiality of the local economy.

III. METHODOLOGY

KLCR extends beyond the boundaries of Kuala Lumpur which governed by LGs- Kuala Lumpur City

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Council (DBKL), Perbadanan Putrajaya, Shah Alam City Council (MBSA), Petaling Jaya City Council (MBPJ), Klang Municipal Council (MPK), Kajang Municipal Council, Subang Jaya Municipal Council (MPSJ), Selayang Municipal Council (MPS), Ampang Jaya Municipal Council (MPAJ) and Sepang Municipal Council (MPSP).

The study involved 10 main LGs in KLCR with 315 respondents representing various stakeholders which included government agencies, local and foreign investors, non-government organisation (NGO), politician and university students. Pearson correlation attempt to measure a significant the relationship between the roles of LG and the KLCR development.

In 2010, KLCR population was estimated at six million and it contributed about RM263 billion to the nation's Gross National Income (GNI), proving that KLCR was indeed the engine of the nation's economic growth and hence designated as a National Key Economic Area (NKEA). KLCR is a unique NKEA as it has a geographical focus rather than the industry focus of the other 11 NKEA's. This paper based on the analysis of latest information Kuala Lumpur City Plan 2020 prepared by DBKL, The Report of ETP : A Roadmap for Malaysia, NKEA Reports, 2011 Malaysian Industrial Development Authority's (MIDA) Annual Report, Department of Local Authority, Ministry of Housing and Local Government (MHLG) and State of Selangor Secretariat Office 2010. In order to show the influence to role of LG in KLCR, data on total local and foreign investment in KLCR from 2007-2010 by MIDA has been analysed.

IV. THE ROLES OF LOCAL GOVERNMENT

The major functions of LG in city-region can be summarized as environmental, public, social and developmental (Thye 2002).

a) *Environmental*

This relates to functions of maintenance and improvement of the environment within the area of jurisdiction. This includes obligatory services such as cleansing, collection and disposal of solid wastes, proper drainage and sewage, sewerage system and beautification programmes.

b) *Public amenities*

This applies to services such as abattoirs, veterinary services, transportation, burial grounds and crematoria.

c) *Public health and cleansing*

This function includes the provision of sanitation and solid waste management system, cleaning drains and roads and the general upkeep of the environment. The licensing of hawkers, stall holders, shop and business operators whose businesses are public

nuisances and obnoxious in nature, falls under this function as well.

d) *Social functions*

Some larger municipalities provide social services such as childcare centres, clinics within their health care service programmes, ambulance and hearse services. Besides these, they maintain fountains and arrange for lighting public streets and other public services and provide manual labour and facilities to state governments or the district offices to assist in the organization of ad hoc social services at the state and district levels;

e) *Developmental functions*

As opposed to mandatory functions of the local authorities, the development functions are considered "discretionary" under the Local Government Act, 1976. Even though LG could be regarded as an important instrument for local socioeconomic modernization, the lack of financial and physical capacity limits the extent and functions that they can provide. This is particularly the case with district councils. (Boschma 2004)

In the face of rapid growth and the pressure to fulfil multiple needs of the local citizens and the private sector community, the scope of functions and responsibilities of LG is expanding every day. The increase in the rate of industrialization, trade, commerce and development of modern services not only pushes the demand for urban space but also that of urban support services. With an increasing concentration of people and industries in urban areas, the functions and responsibilities of LG to have significantly expanded. This requires LG to perform multifarious roles that include:

- Efficient service delivery functions and employment generation;
- The normal system maintenance function for public places, drainage and sewerage, market places and crematorium, road maintenance and street-lighting, landscaping and maintenance, public health and sanitation;
- The development planning and control and management functions (building control, land-use planning, development, creation of industrial estates etc.);
- The promotion of tourism and urban renewal beautification programmes; and
- Infrastructure development and support facilities which could facilitate industrial development and other local-based economic development initiatives.

More important, this expansion of functions raises one fundamental issue: How can LG become an effective machinery to facilitate national growth and enhance the nation's competitive edge? In essence, LG must now play a more effective role in urban planning,

development control and managing the urban system and its environment. Such a role is important to ensure uninterrupted growth and sustainable development within the context of maintaining national competitiveness in this era of economic globalization. Besides, it imposes not only financial but also administrative pressures on local authorities. These pressures come in the form of new demands and challenges to increase and improve delivery of urban services. The challenges also pose important and strategic questions regarding their roles at local, national and global levels. One of these challenges is in the management of LG finance and fiscal development (Boyne 1997).

V. THE CHALLENGES OF LOCAL GOVERNMENT IN CITY-REGION DEVELOPMENT

The current global economic challenges have put LG in the front and centre of attention. They are under the microscope, their past actions are being scrutinized and their behaviour and actions going forward are being closely watched. In view of this, effective leadership has never been more important. Periods of economic stress test the ability and capability of LG and demands that they rise to the challenges. The LG of today are being tested on several levels, both internally and externally. While they may have some control over their internal environment, they certainly do not know what awaits them externally in the current volatile business environment.

Today, the LG is expected to be pro-active in contingency planning, to anticipate and prepare responses. Expediency in the appropriate response can negate losses. It is necessary for business leaders and LG to seek out the possibilities in these challenging times. They must do this to remain relevant, sustainable and competitive. Leadership is a demanding role even during times of relative calm. It calls for balancing of internal and inter-business relationships and more so during a crisis, when courage and desire to lead well and effectively are put to the test.

The transformations in city-region triggered by globalization demand a review on the of internal and inter-business relationships and more so during a crisis, when courage and desire to lead well and effectively are and desire to well and effectively are put to the test. The transformations in our cities and urban agglomeration triggered by globalization demand a review on the various planning cultures. Each city/region must be prepared to act earlier, effectively and with high level of competitiveness. The need to drive the urban dynamic in an energetic responsible manner also demands an integral strategy with active participation of all stakeholders (Boyne 1997).

The uncertainty and risks caused by climate change requires the adoption of preventive measures on

the planning framework and new environmental regulations. The withdrawal of the state requires rethinking of the bottom-up approach process on spatial planning and careful analysis of its implications and potential. The processes of metropolization, the economic new parading of the regions and the functional urban networks open up questions on crossing border planning perspectives (Parr 2005).

The needs to address global challenges in a strategic manner possess questions on the interplay between the local and the global. Communities and Local Government Department of United Kingdom, 2003 has stated that LG is crucial to the challenge of creating sustainable communities - places where people want to live and work. They deliver the day-to-day services upon which people depend and which improve people's quality of life. Self-evidently, where more resources can be made available to support these activities, there will be significant benefits for everyone (Thye 2002).

According to the ETP, KLCR was selected as NKEA to reflect four important dynamics, the first one — that urbanization is a driver of GNI growth, where urbanization was one of the most important drivers of economic growth in any country. Secondly, the Primary City Matters Most — KLCR dominates Malaysia's urban economy and by a large margin and over the next decade, KLCR was targeted to grow in population by five percent per year and achieve GNI growth of 10 per cent a year (PMD 2010).

The third dynamics is that Urban Productivity Does Matter — that the challenge for KLCR was to harness the power of urbanization while shaping it to maximise urban productivity to simultaneously pursue efficiency and liveability. Finally a great city needs to be a liveable city — because while urbanising intensively, KLCR must also focus on improving liveability and among challenges for KLCR according to the ETP are stiff competition from neighbouring cities because liveability lags compared to many other Asian cities, public transport remains inadequate and natural assets remain untapped. The dynamics of change of LG were contributed to administrative performance, fiscal management, public service provision, enhancing private sector development and participation in local and regional decision to formulate partnership between LA and civil society. The role of LG in city-region will establish efficient and transparent inter-government transfer system and creative mechanisms to mobilize and manage local resources (Phang 2008).

VI. RESULTS AND DISCUSSION

Evaluation and measurement of the strength of linear relationships between independent and dependent variables under this paper can be performed using Pearson correlation. According to Chase and Brown (2000), Pearson correlation was used for

parametric measurements to see the strength of the relationship between two variables. In this paper Pearson correlation analysis results will test if there is a positive and significant relationship between the independent variable (five roles of LG in city-region) and dependent variable (KLCR development).

While table 1 shows a summary of the overall Pearson correlation between the independent variable and dependent variable. According to this table clearly shows that the roles of LG have a strong and positive relationship with the KLCR development. The value of the correlation between roles of LG coefficients with KLCR development is 0.684 to 0.878. Similarly, the correlation coefficient of KLCR development. Which roles of LG have the strongest relationship with KLCR development?

Among the roles of LG which had a strong positive correlation with the dependent variable is social function in KLCR ($r = 0.771$), development function ($r = 0.767$), environmental ($r = 0.762$), public health and cleansing ($r = 0.729$) and public amenities ($r = 0.725$). If you see the relationship between roles of neither LG nor the KLCR development still has a strong and positive correlation.

This positive relationship indicates that the stakeholders of the study have relative increase in KLCR is affected by the roles of LG. This shows the correlation of independent variable (five roles of LG in city-region) and dependent variable (KLCR development). Pearson correlation analysis clearly shows that there is a strong positive relationship between the roles of LG with KLCR development.

However, none of the five roles of LG who had a poor relationship with KLCR development with r values less than 0.50. This analysis clearly shows that the practices by the roles of LG is among the factors to the increase in KLCR development. LG in KLCR have business relationships with international corporate bodies and NGOs in order to strengthen the relationship between government, private and public. ETP has also outlined towards achieving the aspiration by 2020 and the economic aspirations for KLCR was to raise its GNI contribution by 2.5 times, from RM258 billion to approximately RM650 billion per year. The EPP's aim is to attract 100 of the world's most dynamic companies within priority sectors, attracting the right mix of internal and external talent and connecting to Singapore via a high speed rail system. The successful implementation EPP will lead to additional business opportunities within KLCR that will continue to enhance KLCR liveability and generate incremental GNI (EPU, 2010).

KLCR will need to house one million new residents by 2020, and the current projected housing supply was expected to be sufficient to meet demand. KLCR aspiration can be summarized as 20-20 by 2020 - that is, to be the only city that simultaneously achieves a top 20 ranking in city economic growth as defined by

city gross domestic product growth rates while being among the global top-20 most liveable cities by 2020. (KLCH, 2008). KLCR will pursue both growth and liveability. Cities must cope with great numbers of people, plan to provide them services, find resources to meet needs of maintaining and augmenting infrastructure, respond to the urbanization and poverty, preserve their environment and retain their competitive edge. Enmeshed in the web of rigid, inflexible working cultures and erosion of all round capacity they must re-engineer themselves to face these enormously complex challenges (EPU, 2010).

This re-engineering is precisely the goal of efficient and effective LG roles. It envisages improving the quality of life in cities through improved local governance by reinventing a city as an inclusive city. Such a city provides space and voice to all its stakeholders through inclusive decision-making, since decision-making is the heart of good governance. The strategy for achieving the goals of good urban environment is to advocate the norms and country specific issues of the role of LG and promote inclusive decision-making process (KLCH 2008).

KLCR has the opportunity of creating a regional education hub, global biotech industries, global information technology backup services, virtual university platforms as well as moving up the value chain of service and building our local businesses in all industries into MNCs. To do this, one would argue we need efficiency and effective in the role of LG that supports an economic system that promotes and facilitates the ability of business enterprises to compete effectively in the international markets and ensure the betterment of standard of living domestically.

Table 2 shows the total investment in KLCR from 2007-2010. The table indicates that in 2008 there is more than RM8 billion investment in KLCR. However in 2009 and 2010 total investment were dropped due the world economy scenario in 2009-2010. Government keep continue and enhance their role to attract more local and foreign investors to invest in the country. Therefore, LG play significant role to promote and enhance their city-region development (Pastor 2006).

There must be an inclusive partnership between the private and public sectors as well as civil society as all our individual needs, demands and wants form the Nation's fabric and collective need (Brannan, John & Stoker 2006). Each of the cogs must move with the wheel to set it in the right motion forward to enhance city-region development.

Competitiveness cannot emanate off a situation where only one of the constituents is called to be accountable and responsible for advancement and development. The general assumption that business is market-driven and therefore only the most efficient survive is not entirely true (Thye 2002). LG may be the most efficient but if the elements in that market do not

move in concert with our level of efficiency, we will not be as successful as we could be KLCR has seen a tremendous increase in the adoption of advanced technologies, particularly relating to online service delivery channels, whether business to business (B to B), business to consumer (B to C), government to business (G to B), or government to citizen (G to C). The online system is an e-government ICT-enabled delivery system to enhance transparency and improve the ability of KLCR to serve city-region citizens better. An efficient public service is a key factor in ensuring a conducive environment to attract local and foreign investment. Take for example financial institutions and the development of these institutions (Taylor 2004).

Are these financial institutions supportive of businesses, especially small, medium and indigenous businesses? Or are they so risk averse such that they make it difficult for businesses to start and expand. This can result in the government having to intervene where innovative solutions and creative business models would have proven more effective. The same is true with other service providers. Malaysia is blessed with resources to achieve greater heights, and we must rise to these obligations in building better tomorrow for our children and grandchildren. This indeed is a moral imperative for all those with the means to make that difference. In the development of the efficient and effective role of LG, we need to consider the likely future developments in both locally and globally. In this respect, there are some possibilities that may develop into opportunities for the betterment of mankind and some that may cause difficulties, if not resolved properly. One area which poses both opportunities and threats is globalisation

VII. CONCLUSION

Overall, this paper has discussed the assessment on the views of stakeholder on the role of LG in KLCR development. This approach facilitates analysis of the role of LG carried out to determine the factors that have an edge and influential enhancement of KLCR development. An evaluation of the determinants of KLCR development is not only the advantages of physical facilities, human resources and market advantages and the advantages of economic resources but the role of LG. A total of 5 roles of LG have been tested and evaluated based on criteria of the interests and views of stakeholders on the roles of LG in influencing KLCR development.

The roles of LG in the territories of KLCR from the view of stakeholders are generally good at a moderate level. This indicates that the processes and practices by the LG in KLCR began to focus such as environmental, public, social and developmental in planning and developing in KLCR. The roles of LG are creating a direct impact on the economic advantages of

agglomeration, further development of the city-region more competitive with the cities-region. This paper found that the administration and services of local authorities an important factor in increasing development in KLCR (EPU 2010).

This is clearly evidenced by the improvement mechanism delivery system, OSC approval of local authorities to expedite the application process, online services and the plan approval process license applications and services and the counter service departments of local authorities. Stakeholders in city-region benefited from the quality of LG services are administrative and the private sector consists of foreign and local investors. The role of the private sector in the KLCR is an important promoter of economic resources areas. When economic resources in urban areas increased this directly enhance KLCR development (KLCH 2008).

This paper also found that elements of development functions in the role of LG are among the factors that led to enhance KLCR development. Such things as access to information about LG project, an open tender process and project procurements, information, financial statements report revenues and expenses of LG. The efficient of roles of LG have also been increased cooperation between public and private sectors. The roles of LG are seen as a concept and framework of urban management that involves all stakeholders KLCR. These findings are consistent in the Pearson correlation was found strong and positive relationships between the elements of the roles of LG (independent variables) with KLCR development (dependent variables).

The 10th Malaysia Plan period witnessed a renewed commitment by the government to promote the efficient and effective the roles of LG in KLCR. This will be continued with government taking steps to enhance the integrity, transparency and accountability of the public and private sectors and further improve the level of good governance. These measures will help address corruption, reduce wastage and the cost of doing business as well as increase the efficiency of public service delivery and corporate sector. These gains from efficient LG will make KLCR is more competitive and attractive to investors and facilitate the achievement of the nation's development goals (EPU 2010).

The scope of efforts to enhance the public sector delivery system encompassed land administration, services of local authorities, investment facilitation, quality management, performance measurement, consolidated licenses and permits, improvements in counter services, management of public complaints, reduction of bureaucratic red tape and ICT development. The commitment to enhance the efficiency and effectiveness of the public service delivery system will continue in order to reduce the cost of doing business, encourage private investment and positively

influence investor perceptions about KLCR as a preferred destination for trade and investment. Many challenges faces the KLCR in this new millennium, it is importance of efficient and effective LG are eminent in administration of developing city-region.

LG has given greater attention not only in public administration but also in the operations of private businesses. The task to turn KLCR has successfully applied economic planning to guide the development of the country from an economy of agriculture and mining to a largely industrialised one (Pastor 2006). Now, with its sights set on attaining the economic level of a fully developed nation by 2020, the planning system must be made even more efficient and focused. It must ensure that every investment made in the country, contribute towards creating the desirable objective of a strong, modern, internationally competitive, technologically advanced, post-industrial economy.

KLCR must also be fully aware of the enormous competition it faces in a region with rapidly expanding and modernising economies, all contending for the same pool of potential international investments. Efficient and effective of LG are also fundamental issue in development characterized by sustainability, subsidiarity, equity, transparency and accountability, civic engagement and citizenship, and security.

As described above, city competitiveness is harnessed through 'city marketing and city management'. High technology and high skilled industries, together with finance, transportation, tourism, business, information and professional services shopping and other commercial activities, are the principal components of the nation's economy, which must be developed to a level well beyond where it is now. In this respect, KLCR being the premier city must play the leading role. Competitiveness is more often than not driven and determined by soundness of infrastructure development as well as the quality of life a place provides for its people, be it its nationals, residents, its investors or tourists. Fundamentally the development of KLCR must be the sum total of what a city-region aims to attract as its outcome and to make it competitive domestically and globally.

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Table 1 : Measurement of Pearson Correlation between LG roles and KLCR's development.

No	Roles of Local Government in Kuala Lumpur City-region (n = 315)	Pearson Correlation Local Government in Kuala Lumpur City-Region with Roles of Local Government (r)	Correlation	Sig. (2 tailed)	
				Value	Significant
1	Environmental	0.762	Strong	P < 0.01	Positive
2	Public amenities	0.725	Strong	P < 0.01	Positive
3	Public health and cleansing	0.729	Strong	P < 0.01	Positive
4	Social functions	0.771	Strong	P < 0.01	Positive
5	Developmental functions	0.767	Strong	P < 0.01	Positive

Table 2 : Total Local and Foreign Investment in Kuala Lumpur City-Region from 2007-2010.

	2010 (RM)	2009 (RM)	2008 (RM)	2007 (RM)
Kuala Lumpur • DBKL	52,761,459	52,761,459	52,761,459	92,355,909
Petaling • MBPJ • MBSA • MPSJ	3,150,790,528	3,405,006,172	5,407,587,709	1,052,562,830
Klang • MPK	1,952,006,973	1,731,532,333	1,651,904,209	2,010,903,745
Hulu Langat • MPAJ • MPKj	254,914,358	474,690,574	549,989,351	349,443,265
Gombak • MPS	156,527,576	428,748,809	340,142,611	260,375,907
Sepang • MPSP	27,850,000	924,000	2,148,400	173,094,050
Total	5,597,135,567	6,196,566,208	8,069,558,870	3,938,735,706

Source : Malaysian Industrial Development Authority (MIDA) , 2011.

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The Imperativeness of Psychological Inventories in Diagnosing Crime Intentions Among Nigerian Unemployed Graduates, Using Pisco for Remediation to Enhance Societal Security

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Abstract - The study juxtaposed the imperativeness of psychological inventory in the execution of counseling programmes and presented the validity and reliability of the Crime Behaviour Factor Battery, and its relevance in diagnosing crime intentions. It investigated the effectiveness of PISCO Creativity Thinking Tool in remediating criminal intentions among the unemployed graduates in Osun State, Nigeria, to foster societal security. 120 unemployed graduates were purposively selected on the basis of convenience, availability and simple randomization from Iwo and Ayedire Local Government in Osun State. Their ages range from 21-36 with a mean of 28.5. Sixty participants from Iwo Local Government formed the experimental group while sixty in Ayedire formed the control. The experimental group was exposed to training in PISCO creativity thinking tool for a period of six weeks, while the control group waited for its turn.

Keywords : *Psychological inventories, Crime Behaviour Factor Battery, PISCO, and Societal Security.*

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I. INTRODUCTION

A hungry man is an angry man, and definitely, many of the insecurity issues in the society arise from peoples' reactions to social and economic deprivations they suffer from. There were less incidences of insecurity in the past because a larger percentage of the populace were meaningfully engaged, but now, the reverse is the case. It is no longer news that the problem of graduate unemployment in Nigeria is currently at an alarming rate. Many of these young and able body graduates roam the

streets in search for a job that is not there. After spending precious years of hard labour and enormous resources in school, they get nothing good in return but subjected to hardship, suffering and lack amidst Nigerians plenty of resources which a few siphon and use anyhow. These young graduates are therefore, idle, hungry and angry. Really, an idle hand is the devil's workshop. These young unemployed graduates are therefore prone to join bad groups and eventually participate in crime which consequently jeopardize the security of the nation. The graduates of this generation in Nigeria suffer hardship due to embarrassing population explosion with over 180 million currently scrambling for a place and survival in the badly wounded and battered economy; whereby there is little or no chance for the children of the masses.

No wonder, our streets are littered with bundles of unemployed graduates whereby many of them take to menial jobs to keep the soul and body together, while others become taxi drivers, bus conductors and expert Okada riders. The advanced countries of the world capitalize on the problematic situation in our country by indirectly introducing modern way of slavery through visa-lottery whereby thousands of our young graduates are captured on annual basis to serve them. The shameless among our unemployed graduates, however, take to prostitution or advanced fee fraud popularly known as 419, while the devilish and pessimistic ones choose to be armed robbers. In fact, Animasahun (2011a) reported that 75% of professional armed robbers in Abuja are University graduates who belong to the neglected unemployed sector. Did you hear about the day-light armed robbery incident that took place in Ibadan sometimes ago where police men and several innocent passers-by were killed? Such operation couldn't have been carried out by unintelligent robbers but the neglected unemployed graduates whom Satan has offered devilish and dastard assignments. Adisa (2011) reported that the ousted Libyan leader, Muamman Ghadafi capitalized on the menace of graduate unemployment in Nigeria by recruiting several Nigerian graduates into the Libyan Army.

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Insecurity has assumed frightening dimension in all parts of the country. The law enforcement agencies are in most cases outwitted and outgunned by armed robbers because they are better equipped (Fasanya, 2009). In his attempt to dig deep into the causes of high rate of crime in Nigeria, Animasahun (2000), (2007) and (2011) discovered that the high rate of terrorism, gangsterism, vandalism and membership of the rampant militant groups such as Oodua Peoples Congress (OPC), Bakkassi Boys, Egbesu Youths, Niger Delta Militant Youths, MASSOB, MEND, Arewa Youths, and the latest religious fanatics in the North called Boko-Harams etc all over the country has been traced to ignorance, poor education, unskilled labour, lack of gainful employment, protest against oppression, inequality, inequitable distribution of resources, frustration and excessive youthful exuberance, poor leadership; cumulative neglect and insensitivity to the yearnings of the suffering masses languishing in abject poverty as well as systemic failure in curbing religious extremists. Fasanya (2009) confirmed that graduate unemployment has resulted in greater insecurity in the country. The recently kidnapped journalists reported that their kidnappers said they were not angry with the journalists but with the government that has made life difficult for the youths by not providing them with good jobs, and allow poverty to destroy the lives of the innocent incapacitated masses. Really, a meaninglessly engaged individual is a terror to the peace of the society!

Nigeria has turned to a country where you can kill and go scot free; you can steal and go scot free, you can fraud and defraud others without any adverse consequences provided you have the right "god-fathers". This is a country where codes of ethics are meant for the less privileged; a country where some people are above the law; a country where security is only guaranteed for those who can afford bullet proof wears, bullet proof houses and bullet proof cars. The country, where some lazy and opportunist cargoes turn billionaires over night because they are in politics, and become tin-god and renown oppressors to be worshipped by innocent and powerless masses before the latter can survive; the country that parades vagabonds on the corridor of power; the country where politicians trample over defenseless masses who could not afford three square meals a day; the country where a Senator earn more than the US president or the British Prime Minister on monthly basis whereas a lot of the populace are decked in abject poverty; a country where innocent, hardworking and honest individuals are being trampled upon by the power that be; a country where the golden cake is reserved only for the privileged few. This is a country where the gap between the affluence and poverty level is widening everyday; where some people can afford to build houses in every states of the federation whereas some innocent Nigerians still live

under the bridge, and the take home of many hard working individuals cannot enable them to build their own houses. This is a country where morality has been thrown to the dogs; a country where money is our god and where the fear of God is no longer the beginning of wisdom, but the apex of foolishness! No doubt, escalated crime rate in such a country is inevitable.

Pakes and Pakes (2009) reported plenty of crime stories in the news media which criminal justice system cannot cope with. Aremu (2007) reported that rarely does an evening pass in which the locally televised nightly news does not provide coverage of at least one shocking and disturbing act of criminal violence involving juvenile and youths. Inspiring Life Choices (2008) presented a comprehensive pattern of behaviours of the young ones. Sanni, Udoh Okediji, Modo and Ezeh (2010) advanced this by establishing that cruelty, bullying, fighting, vandalism, roughness during games, use of foul language, stealing, lying, cheating, examination malpractices, gambling, truancy, drug abuse, noise-making, disobedience, stubbornness, apathy, untidiness, failure to wear correct uniform, reading and watching pornographic materials, sexual immorality, mob action, loitering and carrying of weapons currently dominate the activities of secondary school students in Nigeria. Aremu (2012) buttressed this by reporting a rivalry between two secondary schools in Ibadan recently where dangerous weapons such as broken bottles, knives, cutlasses and charms were freely used. All these are as a result of the rot in the society which eventually advance into real criminal behaviours that threaten the societal security.

Criminology, the scientific study of criminal and criminal behavior (Encarta Premium, 2009) attempts to build theories that explain why crimes occur. Hence, theories such as Social control, Differential Association, General strain, among others were put forward, but placed more emphasis on strain theories as more germane to adolescents' and youths' criminal behaviours. Robert Agnew, the propounder of this theory said that an increase in aspirations and a decrease in expectations lead to an increase in criminal behaviours and that strain is a major motivator for crime (Agnew, 1985; 1995a; 1995b; 2001). Ya'u (2000), Animasahun, (2011) and African Child Rights Inc (2011) confirmed the authenticity of this theory in explaining why adolescents and youths engage in serious crime.

It is therefore, highly imperative that crime intentions are diagnosed earlier by using validated and standardized instruments called psychological tests to discover early and make efforts to prevent the actualization of such crime intentions.

A psychological test can be defined as a stimulus presented to an individual so as to elicit a response on the basis of which a judgment is made on certain attributes and abilities possessed by that individual. The response which constitutes the basis of

such a judgment is essentially a sample of the individual's behavior from which inferences are made about the entire universe of abilities and attributes possessed by that individual.

Psychological test, according to Freeman (2006), is a set of standardized or controlled occasions for response presented to an individual with design to elicit a representative sample of his behavior when meeting a given kind of environmental demand. He further explained it to be a standardized instrument designed to measure objectively one or more aspects of a total personality by means of samples of verbal or non-verbal responses, or by means of other behaviours. Anastasi and Urbina (2007) conceptualized a psychological test as essentially an objective and standardized measure of a sample of behavior.

Psychological test is a strong instrument in the hand of a professional Counselling psychologist, without which one would just be beating about the bush or guessing, which is very dangerous for the client, risky and unprofessional. Psychological test should be applied at every stage of counseling such as: Referral, Diagnosis, Treatment, Termination and Follow up stages for the sake of precision and success. Apart from this, psychological test is appropriate for all types of counseling such as: Educational, Vocational, Socio-personal, Remedial, Reformatory, Rehabilitation, Marital, Pastoral, Career, Health, Clinical, Child, Adolescent and Youth etc. for accuracy and professionalism. Animasahun (2011) further expatiate the general functions of psychological tests which include: Diagnosis, Selection, Placement, Classification,

Prediction, Counselling, Evaluation and Research. However, in spite of the enormous importance of psychological tests, many counselors don't use them in the discharge of their duties. Hence, they are not better than ordinary teachers, parents, pastors and other lay persons who give ordinary advice to their clients which they refer to as counseling. A particular Governor in Osun state sometimes ago, possibly capitalized on this inadequacy by flushing out Guidance Counsellors from Osun state secondary schools because he claimed he did not see their impact and relevance in the teaching and learning process. In fact, he referred to them as Counsellors without portfolio! Hence, every professional Counselling Psychologists are admonished to use the appropriate psychological inventories in diagnosing the presented problems of their clients, use appropriate counseling intervention to assist the clients, organize various beneficial programmes for people and be up and doing for the society to feel their impacts.

There have been a lot of psychological tests measuring different variables, however, there is dearth of instruments measuring crime behaviours and factors responsible for them. This is the rationale behind the development and validation of Crime Behaviour Factor Battery (CBFB) (Animasahun, 2011b). It is an inventory with 14 different scales constructed on 5-point Likert format, with responses ranging from 1(Strongly Disagree) to 5 (Strongly Agree). While Test 1 is the crime behavior rating scale, Tests 2-14 account for various factors responsible for committing crime. Brief explanation of the instrument and their psychometric properties are as shown in Table 1.

Table 1 : Description of Crime Behaviour Factor Battery.

Test	Title	No of items	Example of items	Cronbach alpha	Guttman split half reliability
1	Crime behavior rating scale	33	My behavior often go contrary to acceptable norms	0.95	0.82
2	Personal factors	38	Lack of self control	0.96	0.83
3	Family/Parental factors	38	Brought up by non-challant and care free parents	0.98	0.83
4	School based factors	30	Taught by highly indisciplined teachers	0.95	0.84
5	Social factors	22	Living in slums and ghettos	0.95	0.88
6	Economic factors	16	Poverty and inability to provide basic needs	0.87	0.94
7	Societal factors	31	Respect for superficial wealth irrespective of source	0.96	0.84
8	Political factors	41	Presence of people with high track record of deviant behaviours in power	0.97	0.91
9	Factors resident in law enforcement agencies	24	Bribery and corruption has eaten deep into the fabrics of our law enforcement agents	0.95	0.87
10	Factors resident in the judiciary	15	Delayed justice and consequent denial is the order of the day	0.94	0.85
11	Religious factors	15	The fear of God has become a thing of the past	0.91	0.81
12	Peer group factors	7	Association with peers known for criminal records and deviant behaviours	0.81	0.91
13	Media factors	7	Bad dressing and all sorts of crime are learnt from the internet	0.92	0.84
14	Career related factors	20	A wrong choice of career can influence an individual into crime	0.95	0.85

It should be noted that only test 1 has a norm which is 63. This means that scores below 63 indicate low crime behavior intent while scores above 63 are indications of strong possession of crime behaviours. However, for categorization sake, scores between 0 and 50 indicate low crime intent; scores between 51 and 70 indicate moderate crime intent, while scores from 71 and above indicate high crime intent.

As soon as results obtained from the test above reveal the presence of crime intentions, necessary logistics should be put in place to remediate such behaviours. One of the ways to do this is to utilize certain creativity techniques and thinking tools.

Creativity is the process of generating a new idea to solving certain problems. Adeyanju (2004) defined it as the ability to find new solutions to a problem or new modes of expression. While De Bono (1992) conceptualized creativity as the process of bringing about new ideas and updating old ones, Akinboye (2000) describes it as the ability to produce new ideas, new concept, new design and alternative ways of doing things. Animasahun (2002) however, offered a comprehensive definition by defining creativity as conscious cognitive processes stimulated by problematic situation, guided by interest and resulting in the generation of statistically infrequent, valuable and appropriate ideas useful in turning challenges of life into fruitful, beneficial and profitable outcomes. The latter definition is more relevant in this situation of reducing and preventing crime in the society. To benefit from creativity therefore, criminal or potential criminal needs to be aware of his problem, consciously interested in getting out of it, give room for alternative ideas which would now liberate him from the problem whereby he becomes useful to himself and the entire society.

Though a lot of techniques and creativity thinking tools are available, the one which is considered to be more relevant in remediating criminal intents and re-orientating an individual towards a new life is a creativity thinking tool selected from the pool of creativity thinking frameworks called PISCO.

PISCO is a creativity thinking tool, developed by Edward De-Bono, which is a strong component of Creativity Thinking Frameworks (Akinboye, 2003). It is a creative thinking acronym which stands for the following:

P = Purpose of thinking. Here, an individual asks himself questions such as: What is the purpose of my thinking? Why am I thinking this way? What do I want to achieve with this kind of thinking? This particular thinking tool teaches an individual not to use the brain faculty any how or using it on futile exercise or such exercise that are not productive or beneficial to mankind. It teaches an individual to watch out for what transpires in ones' mind by consciously taking control of one's thinking pattern.

I = Imput information. This is a process of consciously searching for information that can transform

one's present position or condition for the better. It enables an individual to acquire certain experiences and collect various data from various sources.

S = Solutions. An individual critically examines the collected information with the aim of using some of them to generate solutions to the present problem. Here, various alternative ideas, concepts and approaches are available from which an individual can choose.

C = Choice. Here, the thinker consciously chooses an idea from many attractive alternatives.

O = Operation. This is an action stage. Here, the thinker puts the selected alternative into action. This stage teaches that an idea must not remain at the theoretical level but that an immediate action must be taken to forestall idleness or allow a good idea to die without seeing the light of the day. This is therefore an implementation and final stage of PISCO.

This is the technique used in this study for the remediation of crime intentions of unemployed graduates in Osun State. Hence, the only hypothesis for this study states that: There will be no significant difference in crime behavior intent test scores of unemployed graduates exposed to PISCO creativity thinking tool programme and their counterparts in the control group.

II. DESIGN

The research adopted one way analysis of covariance (ANCOVA) using the pre-test scores as covariates to find out if post-test difference was significant.

III. PARTICIPANTS

A total of one hundred and twenty unemployed graduates were purposively selected on the basis on convenience, availability and simple randomization from Iwo and Ayedire Local Government of Osun State. Their ages ranged from 21-36 with a mean of 28.5. Sixty participants from Iwo Local Government formed the experimental group while the sixty unemployed graduates from Ayedire Local Government formed the control.

IV. INSTRUMENTATION

The crime behavior rating scale which is the first scale in the Crime Behavior Factor Battery (Animasahun 2006) was used to measure the crime behavioural intention of the unemployed undergraduates at both the pre and post test situation. It has 33 items constructed on 5- point Likert format. It has a norm of 63 whereby any score above the norm is an indication of crime behavioural intention. It has a Cronbach Alpha of 0.95 and a Guttman split half reliability of 0.82.

V. PROCEDURE

It was an herculean task to get the unemployed graduates to participate in this kind of exercise. However, the researcher went through the management of Action Congress of Nigeria which is the current ruling party in Osun State to help in discussing the issue with the Chairmen of the two randomly selected Local Governments, otherwise called Executive Secretaries to assist in getting the unemployed graduates in their Local Governments informed since they were currently registering for possible employment in all Local Governments in the state. Hence, arrangements were made for the researcher to meet the unemployed graduates. The meetings were successful. The researcher requested for volunteers to participate in a creativity training programme which would be of benefit to them. A lot of them showed interest while several others turned down the offer. However, the number of those who showed interest was more than could be accommodated, the process of balloting ensued, whereby sixty participants were selected from each Local government. The Crime Behavior Factor Battery was administered on all the participants to collect their pre-test scores. After this, the participants in two Local Government were exposed to PISCO creativity thinking

tool programme for a period of six weeks, whereby sessions of 2 hours twice a week were observed in the Conference Hall of the Local Government. However, the control group participants in Ayedire Local Government waited for their turn. Nevertheless, at the expiration of six weeks, the Crime Behaviour Factor Battery was administered again to collect the post-test scores of both the experimental group and their counterpart in the control group. After the whole exercise, the researcher came back to teach the participants in the control group at Ayedire Local Government some creativity techniques.

VI. DATA ANALYSIS

The collected data was subjected to a one-way Analysis of Covariance (ANCOVA).

VII. RESULTS

The result of the analyzed data are hereby presented in the tables below:

To test the hypothesis, analysis of covariance (ANCOVA) was employed to analyse the posttest scores of all participants in both the experimental and control group, using the pretest scores as covariates to find out if posttest difference was significant.

Table 1 : Summary of Analysis of Covariance (ANCOVA) showing the effect of treatment on unemployed graduates' crime behavioural intention test scores of experimental and control groups.

Source	Type III Sum of Squares	Df	Mean Square	F	Sig.	Partial Eta Squared
Corrected Model	88250.467 ^a	2	44125.233	503.959	.000	.896
Intercept	3985.238	1	3985.238	45.516	.000	.280
pretest2	3980.467	1	3980.467	45.461	.000	.280
group2	84832.009	1	84832.009	968.875	.000	.892
Error	10244.200	117	87.557			
Total	1099508.000	120				
Corrected Total	98494.667	119				

a. R Squared = .896 (Adjusted R Squared = .894)

The result presented in table 1 above shows that there was a significant difference in the crime behavioral intentions posttest scores of participants in the experimental and control groups ($F(1,117) = 968.875 < 0.05$). Based on this, the null hypothesis was rejected. Therefore, there is a significant difference in crime behavioral intentions posttest scores of experimental and control group. The table also reveals that the groups (treatment and control group) behavior with respect to PISCO creativity thinking tool programme has

large effect on their posttest scores (Partial Eta Square = .892), which also implies that the group accounted for 89.2% in the variation of their crime behavioral intentions posttest scores.

In order to provide more details on the variation in post-test mean score of participants in treatment and control group, the pair-wise comparison was computed. This is shown in Table 2.

Table 2 : Summary of pair-wise Comparison Analysis showing the effect of treatment (PISCO technique) on crime behavioural intentions test scores of experimental and control groups.

(I) group	(J) group	Mean Difference (I-J)	Std. Error	Sig
treatment group	control group	-53.183*	1.709	.000
control group	treatment group	53.183*	1.709	.000

Table 2 shows that the participants in the control group has the highest adjusted mean score ($X = 64.742$), while the participants exposed to treatment obtained the lowest adjusted mean scores ($X = 117.925$). These values were obtained by adding the respective adjusted deviations with the grand mean. This is evident that the intervention (PISCO technique) was effective. This therefore implies that the control group possesses a higher tendency to exhibit crime behaviours than the treatment group.

More so, the analysis of covariance model reveals $R^2 = 0.896$ and Adjusted $R^2 = 0.894$. This implies that the treatment intervention overall accounted for 89.4% variance of the participants' crime behaviour scores, while the remaining 10.6% are due to unexpected sampling errors and variables outside the scope of this study.

VIII. DISCUSSION

This study has established that Crime Behaviour Factor Battery is a potent instrument in diagnosing crime behavioural intentions, whereby the result obtained can be used as a guide in the right direction of counseling intervention. The study has also established the effectiveness of PISCO creativity thinking tool training in the remediation of criminal behavioral intentions among the unemployed graduates in Osun state. The findings lend credence to the earlier submission of De-bono (1992), Akinboye (2000; 2003; 2007), Animasahun (2002; 2003; 2011), Owodunni (2002), Adenuga (2004), Ortesi (2005), Puccio and Murdock (2007) that creativity training techniques can be used in remediating negative behaviours. This means that training in creativity techniques produces a change in behavior of the participants.

IX. RECOMMENDATIONS

It is therefore recommended that all stakeholders in the affairs of the young ones should make effort in diagnosing possible criminal behavioural intentions of the youths and adolescents, especially the undergraduates as well graduate students, in order to discover earlier the traits of crime in them and also make efforts for remediations. PISCO creativity thinking tool technique should be adopted in training the young ones

to think appropriately and generate new ideas that they can uphold in life rather than being involved in any criminal activity which is totally inimical to the peace of the society.

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The Reason behind Lack of Household Recycling Participation A Bangkok Metropolis Case Study

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Abstract - Recycling has been encouraged broadly as a tool to diminish the destructive impacts of excessive solid waste. However, recycling in most developing countries undergoes from lack of household participation. The finding of this paper demonstrated that the major constraints that impede recycling involvement are likely to come from hidden cost of recycling – the poor access of facility, lack of recycling skill, and unavailability of information.

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I. INTRODUCTION

Solid waste management has been historically challenged to societies. Improperly managed waste can pose serious damages on human and environment. Changing in the patterns of production and consumption due to urbanization and economic growth resulted in an increased amount and diverse types of solid waste. Recycling, with its numerous benefits on reducing negative impacts from waste and conserving natural resources, has been lightened into attention. For example, recycling of an aluminum can saves up to 97% of the energy for producing new can from raw material; which is enough energy to keep a 100 watt light bulb burning for 4 hours, whereas every ton of paper recycled saves 17 trees (Letcher and Shiel, 1986; Martin, 2003; Sherlock, 2003).

Nations worldwide have position recycling as one of the most sensible solutions both economically and ecologically for managing municipal solid waste. Unfortunately, though an intensive call for household recycling participation has been made, most of developing countries still experience low recycling rate. Since the achievement of recycling practice depends largely upon the active and sustained involvement of people. It is essential to investigate barriers impeding household recycling decision, and it is the main study of this paper.

II. LITERATURE REVIEW

Once products are produced, the role of the household then becomes crucial. Household can make a number of decisions regarding what to do with the products they purchased and indeed if to purchase such products (Barr, 2002). Problem of municipal solid

waste and the achievement of recycling program are therefore largely engaged in household decision making.

The literature on understanding and motivating people to recycle is marked by two major phases (Hornik, Cherian, Madansky, and Narayana, 1995). In the primary phase, spanning a period from 1970s to early 1980s, researches emphasized external incentive such as monetary rewards and punishments, and sought to the demographic characteristics. The studies generally found that recyclers reported monetary concerns as their primary incentives. This phase led to a spread view that external incentive alone can initiate and sustain recycling behaviors (Geller, Winett, and Everett, 1982). However, later research suggested that if the incentive were purely economic and external, the desired behavior would vanish when the incentive was withdraw (Pardini and Katzev, 1984). The second phase therefore emphasized on finding nonmonetary and lasting incentive to increasing recycling with more concerns on intrinsic motivation such as locus of control and personal satisfaction (De Young, 1986). In addition to the foregoing intrinsic and extrinsic motivation approached, two other factors that found to have an impact on recycling behavior are social pressure and perceived inconvenience of recycling. Social pressure to recycle can result from a concern of perception from family, neighbors, and friends. Conversely, lack of support, household may increase pressure not to recycle. The time, space, and trouble it takes to prepare, store, and transport materials may also dissuade even intrinsically motivated individuals who believe that recycling will have favorable environment result (Vining and Ebreo, 1990; Vining, Linn, and Burdge, 1992).

III. THE THEORITICAL FRAMEWORK

Theory of reasoned action (TRA) and theory of planned behavior (TPB) have been well acquainted as models that provide framework to explain the determinants of behavior in social and psychological perspective. The TRA suggests that behavior is a direct function of intention which is formed by attitude toward that behavior and subjective norm. Attitude consists of beliefs about the consequences of performing the

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behavior multiplied by one's valuation of these consequences. Subjective norm is seen as a combination of perceived expectations from relevant individuals or the groups with intentions to comply with the expectations, namely it is one's perception that most people who are important to him think he should or should not perform the behavior in question. When one has high intention, it is likely that he or she will perform the behavior (Fishbein and Ajzen, 1975). The TPB is an extension of TRA proposed by Ajzen (1985). In addition to the attitude and subjective norm, TPB adds the concept of perceived behavioral control (PBC) which is developed from self-efficacy theory originated by Bandura (1977) into the model to include non-volitional behavior or those requiring resources, opportunities, and specific skills. The PBC refers to the individual's possible beliefs of difficulty in completing a certain behavior and influences both intention and behavior. The TRA and TPB have been extensively applied to predict recycling behavior in many occasions (Boldero, 1995; Taylor and Todd, 1995; Cheung, Chan, and Wong, 1999; Chu and Chiu, 2003; Tonglet, Philips, and Bates, 2004, to name a few).

However, many researchers supported that there are other variables besides elements of TRA and TPB that predict environmental behaviors (Boldero, 1995; Cheung, Chan and Wong, 1999; Barr, 2002; Chu and Chiu, 2003). Vining and Ebreo (1990) found a positive relationship between availability of monetary incentive and recycling behavior, where Goldsby (1998) found a negative effect of economic incentive on recycling involvement. Knowledge and information were also found to have positive impact on recycling behavior (Vining and Ebreo, 1990; Barr, 2002). In addition, convenience factors were argued to be a barrier to recycling action in many researches (Gamba and Oskamp, 1994; Tucker, 1999; Barr, 2002). With the aim to investigate promising constraints of household recycling participation, this study integrated relevant factors in accordance with previous studies and employed the TPB as the critical framework of the research.

IV. RESEARCH DESIGN

a) Instrument development

This research selected Thailand as a case study to investigate the situation of household recycling behavior in urban developing countries. The data of this research were collected from personal interviews based on a structured questionnaire, designed follow the previous literatures. To examine the quality of the questionnaire items, pre-tests were carried out two times in November and October 2010 prior to the main survey which is conducted during the period of December 2010 to January 2011. Participants in the pre-tests were 80 Thai citizens who have been resided in Bangkok not less

than 90 days. The internal consistency of question dimensions was measured by Cronbach's alpha coefficient which indicates the degree to which a set of items measures a single unidimensional latent construct, values from 0 to 1. Values above 0.7 indicate a good internal consistency (Cronbach, 1951).

The results of the second pre-test were satisfied in every question with the alpha coefficients over 0.71. The verified questionnaire survey consisted with 3 parts; 1) questions regarding respondents' profile, 2) questions regarding recycling behavior and intention, and 3) six-point scales question items of promising explanatory factors (strongly disagree=1 to strongly agree=6). The definitions of technical terms using in the questionnaire were clarified to the respondents prior to the interview to avoid error answers from misunderstanding.

b) Sampling and data collection

The Bangkok capital city was selected for the study area. The target population was individuals who have been inhabited in Bangkok at least 90 days. Multi-stages sampling method was applied to gather research samples. Features of total fifty districts in Bangkok were firstly examined in the first step. As the research target is urban waste recycling, the inner-Bangkok area, which is classified as residential and business area (BMA data center, 2009), was selected as the interest group. Pathumwan district was randomly selected from 21 districts located in inner-Bangkok in the following stage by drawing lots. Next, the required sample size was calculated by using Krejcie and Morgan's formula (Krejcie and Morgan, 1970).

According to the population and housing statistic provided by Department of Provincial Administration (2009), Pathumwan district has a population (N) of 58,858 people (male 27,463; female 31,395) as of 2009. Based on the sampling formula, 381 samples were required at 5% margin error. In the final stage, required sample for 4 sub-districts in Pathumwan district was calculated by the ratio-sampling method. As total sample=381 for Pathumwan district based on 2009 data, 131 samples were required for Rongmuang sub-district ($N_{sub}=20,031$), 130 samples were required for Lumpinee sub-district ($N_{sub}=20,278$), 70 samples were required for Wangmai sub-district ($N_{sub}=10,905$), and 50 samples were required for Pathumwan sub-district ($N_{sub}=7,644$).

V. DATA ANALYSIS

a) Descriptive analysis

Most of the respondents were female (56.7%), completed undergraduate school (63.3%), single (70.9%), living in a single house (55.9%), and having personal monthly income in a range of 10,001 to 20,000 Thai baht (41.7%). The median age of the respondents was 28 years old. Of total 381 samples, 217

respondents (57%) reported that they are involving in recycling activities while 231 respondents (60.6%) reported that they have intention to recycle. The samples demonstrated appropriate representatives of Bangkok population which 52.4% is female, median age is a range of 20 to 34 years old, and per capita income on average equal to 11,284 Baht (National Statistical Office and Office of the National Economic and Social Development Board, 2008). However, the sample group was better educated than the populations which have average years of educational attainment at 12 years (Office of Education Council, Ministry of Education, 2009).

b) Principal component analysis

Principal component analysis (PCA) was carried out prior to the analysis to examine the empirical dimensions of questionnaire data measured on ordinal scales (Kaiser, 1974; Field, 2005). The result of principle component analysis of twenty-seven items showed no problematic collinearity across dimensions. KMO=0.73 showed a modest sampling adequacy of factor analysis. The Bartlett's test is highly significant at p-value equal to .00, approved that the PCA is applicable. The factor loadings demonstrated 6 dimensions. All components in aggregate explained 92.76% of the total variance in the overall data.

c) Logistic regression analysis

Logistic regression analysis was employed to examine the significant impacts of variables. To test whether the factors present direct effects on recycling behavior or indirect effects via recycling intention, explanatory variables in the study were estimated in two stages; the first stage with recycling intention as the dependent variable, the second stage with recycling behavior as the dependent variable. Both intention to recycle and recycling behavior were measured by self-report binary scale treated as dummy variables coded as 1 = yes and 0 = no.

A two-step *hierarchical logistic regression* analysis was applied in the first stage. The socio-demographic variables which are classified as the factors at the lowest level were firstly entered. The seven variables together provided a model that correctly classified 64% of the sample (82.3% of sample with intention to recycle; 36% of sample with no intention to recycle). Hosmer and Lemeshow test was significant demonstrated that the model with only demographic variables did not adjust well to the data. Entering the ten variables on the next step amplified the percentage of respondents correctly classified to 90% (92.2% of sample with intention to recycle; 86.7% of sample with no intention). Hosmer and Lemeshow test become insignificant. Omnibus test of model coefficients was significant showed that inclusion of the second-step variables improved the model. Nagelkerke R^2 improved from .116 to .738. The value of -2log-likelihood also

decreased from 476.680 to 210.823 presented more accurate the predictions of the model. The attitude toward recycling, external subjective norm, awareness of recycling benefit, perceived facility condition, and perceived recycling skill were significant predictors of recycling intention.

In the second stage, a three-step *hierarchical logistic regression* analysis was employed to measure the predictors of actual recycling behavior. The socio-demographic variables entered on the first step provided a model that correctly classified 63.3% of the sample (74.2% of recycler; 48.8% of non-recycler). Hosmer and Lemeshow test was still significant. Entering psychological, situational, and economic variables on the second step increased the percentage of respondents correctly classified to 89% (90.3% of recycler; 87.2% of non-recycler). Hosmer and Lemeshow test became insignificant. Omnibus test of model coefficients showed a significant contribution of the entered variables. Nagelkerke R^2 increased from .141 to .731. The value of -2log-likelihood decreased from 478.459 to 221.105. All goodness-of-fit indicators demonstrated a more accuracy of the model. The resident year, perceived facility condition, perceived personal recycling skill, and perception of having adequacy recycling information significantly predicted recycling behavior in this level. The entry of the recycling intention variable on the last step improved the model substantially. The percentage of respondents correctly classified increased to 94.5% (96.3% of recycler; 92.1% of non-recycler). Hosmer and Lemeshow test was not significant. Omnibus test of model coefficients at step and model level were both significant. Nagelkerke R^2 improved to .878. The value of -2log-likelihood decreased to 116.357. The resident year, perceived facility condition, perceived personal recycling skill, perception of having adequacy of recycling information, and recycling intention significantly predicted recycling behavior. The significant impact of resident year, which in part reflected degrees of expertise in the facilities and services in the community, supported that a better understanding in the recycling system tended to positively affect recycling involvement of people. Summary of results demonstrated in table 1 and 2, where $\text{Exp}(\beta)$ = Exponent of β and statistically significant at the *0.05 and **0.01 level.

VI. DISCUSSION AND CONCLUSION

The results of analysis show that key factors that influence final decision of household whether to recycle or not recycle are all regarding to costs of recycling; both economic (e.g., monetary transaction cost) and non-economic cost (e.g., opportunity cost or effort). If people have less skill, less information, and find it difficult to get access to recycling facility, they are likely to decline to get involved. The figure.1 explains

why a high cost of recycling causes low level of recycling involvement through the marginal cost perspective.

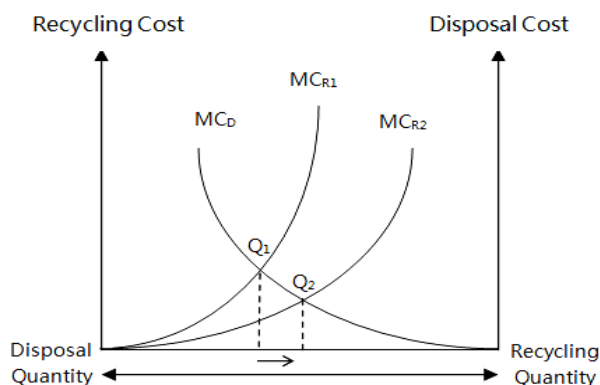


Figure 1 : Cost of recycling and effect on recycling rate.

Given there are two choices of waste treatment for household; recycling or disposal, and consider lack of facility, lack of skill, and inadequacy of recycling information as variable costs of recycling. MC_R represents marginal cost of recycling. MC_D represents marginal cost of disposal and all social costs are assumed to be included in the marginal cost of

disposal. According to Tietenberg (2006), efficient amount of recycling will be attained at the $MC_D = MC_R$. Other things being constant, a rise in the variable costs of recycling lead to an upward shift of MC_R , results in a lower quantity of recycling and an increase in amount of disposal.

Additionally in the developing countries with ineffective garbage system, MC_D is lower, which further cause lower recycling rate. Consequently, intensive attentions should be paid on lack of fundamental services, facilities, and information. Household should be educated how to recycle in practice, which could be executed by conducting workshops or seminars. These altogether could reduce cost of recycling (shift MC_{R1} to MC_{R2}) and thus enlarge the recycling involvement of household (from Q_1 to Q_2). This study also has some limitations. First, the behavior concerned in this study was self-reported so the respondents might be self-aware or have bias on reporting their recycling behavior. Alternative methods, such as a diary report, might be combined to resolve this limitation in the future study. In addition, the current survey covered only one geographical area. Future research might enlarge study areas and additionally investigate the identifiable recycling behavior of population with different life styles and cultures.

Table 1 : Regression coefficients of the logistic regression analysis predicting recycling intention.

Predictors	Step1		Step2	
	β	Exp(β)	β	Exp(β)
Gender	-.437	.646	.089	1.094
Single				
Married	.129	1.137	1.214	3.366
Divorce	-1.080	.340	-.839	.432
House type	-.272	.762	-.831	.436
Income less than 10000 Thai baht				
Income 10001-20000 Thai baht	-.324	.723	-.899	.407
Income 20001-30000 Thai baht	-.401	.669	.122	1.130
Income 30001-40000 Thai baht	-1.104	.332	-.552	.576
Income 40001-50000 Thai baht	-.417	.659	-1.560	.210
Income more than 50000 Thai baht	-.219	.803	.607	1.835
Junior high school or lower				
High school	-.863	.422	-1.531	.216
Undergraduate	-.700	.497	-1.825	.161
Graduate or higher	-1.165	.312	-1.176	.309
Age	.028	1.028	-.028	.972
Resident year	.040*	1.041	.013	1.014
Attitude toward recycling			1.109**	3.032
Internal subjective Norm			-.117	.889
External subjective Norm			.496*	1.642
Awareness of recycling benefit			.465*	1.592
Economic incentive			-.151	.860
Perceived space needed for recycling			-.188	.829
Perceived time needed for recycling			.141	1.151
Perceived facility condition			1.777**	5.910
Perceived recycling skill			1.324**	3.758
Adequacy of recycling information			.232	1.261

Table 2 : Regression coefficients of the logistic regression analysis predicting recycling behavior.

Predictors	Step1		Step2		Step3	
	β	Exp(β)	β	Exp(β)	β	Exp(β)
Gender	-.412	.662	.370	1.448	.562	1.755
Single						
Married	-.034	.966	1.076	2.932	.313	1.367
Divorce	-1.054	.349	-.662	.516	-.230	.794
House type	-.302	.739	-.293	.746	.027	1.027
Income less than 10000 baht						
Income 10001-20000 baht	-.115	.891	-.266	.766	.819	2.268
Income 20001-30000 baht	-.222	.801	.762	2.142	1.461	4.312
Income 30001-40000 baht	-.763	.466	.805	2.236	2.383	10.832
Income 40001-50000 baht	-.001	.999	-.519	.595	1.319	3.738
Income more than 50000 baht	.169	1.184	1.482	4.402	1.743	5.713
Junior high school or lower						
High school	-.370	.690	-1.316	.268	-1.272	.280
Undergraduate	-.373	.689	-1.808	.164	-2.177	.113
Graduate or higher	-1.010	.364	-1.678	.187	-2.343	.096
Age	.032	1.032	-.032	.969	-.021	.980
Resident year	.052**	1.053	.049*	1.051	.070*	1.073
Attitude toward recycling			.309	1.362	-.728	.483
Internal subjective norm			.333	1.395	.504	1.656
External subjective norm			.328	1.388	.110	1.117
Awareness of recycling benefit			.226	1.254	-.069	.933
Economic incentive			-.316	.729	-.353	.702
Perceived space needed for recycling			-.020	.980	.370	1.448
Perceived time needed for recycling			.221	1.247	.099	1.104
Perceived facility condition			1.653**	5.220	.840**	2.317
Perceived recycling skill			1.491**	4.441	1.302*	3.677
Adequacy of recycling information			.850*	2.339	1.391*	4.018
Intention to recycle					5.486**	241.280

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Determinants of Child Poverty in Rural Nigeria: A Multidimensional Approach

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Adeoti Adetola^a & Popoola Olufemi^o

Abstract - The profiles and determinants of child poverty in rural Nigeria were identified using the Demographic and Health Survey, 2008 data. The multidimensional child poverty concept was applied to children under-5 years of age. In all, a total of 4,543 children were analyzed. About half of the children were male and the mean age for all the children is 29 months old.

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The logistic regression model result revealed that the factors that decrease the probability of child poverty are: parent's higher education, employment of household head in the service sector, male-headed households, 'rich' households and presence of a health facility. Conversely, factors that increase the probability of child poverty are large household size, households engaged in agriculture and children living in the south-south zone.

The multidimensional child poverty index of 0.526 is too high in rural Nigeria; and effort to eradicate child poverty should be multifaceted. These include encouraging higher education for parents, provision of more health and sanitation infrastructure, promotion of family planning to reduce household size and improvement in agricultural productivity and incomes.

Keywords : Poverty, Under-5 children, Alkire and Foster approach, Multiple Correspondence Analysis, logistic regression, Rural Nigeria.

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1. INTRODUCTION

Children are the most vulnerable in the society and are such mostly affected by the incidence of poverty, especially those whose ages range from 0 to 15 years. According to UNICEF, child poverty means children, who experience deprivation of the material resources needed to survive, develop and thrive, leaving them unable to enjoy their rights, achieve their full potential, or participate as full and equal member of the society. One of every three children in the developing world lacks access to basic sanitation, and one of every five has no access to safe drinking water (UNICEF, 2009). About 600 million children worldwide are growing up in absolute poverty and over ten million children under-five years of age die every year (Insights Development Research, 2005). Every year, nearly 10 million children die from largely preventable causes (UNICEF, 2011). These include illnesses such as pneumonia, diarrhea and malaria, as well as conflict and HIV/AIDS. Malnutrition, poor hygiene, lack of access to safe water and adequate sanitation contribute to more than half of these deaths (UNICEF, 2005). More than 90% of child death under the age of 18 occur before the age of five (UNDG, 2003). Ninety-three percent of all under-five deaths currently occur in Africa and Asia combined and 40% occur in just three countries: India, Nigeria and the Democratic Republic of Congo. (UNICEF, 2008).

Children in Nigeria often face many problems such as poor health, lack of access to quality education, food and social insecurity and lack of care. In Nigeria, child poverty is typical both in urban and rural areas. Children living in rural areas are deprived of useful and beneficial resources. Mostly they have access to rivers and other surface water only, no access to modern toilets, limited access to immunizations and medical advice, living in dwelling with more than five people per room, no school attendance, no access to newspaper and other media. Nigeria among other developing countries of the world needs to tackle child poverty (Gordon D. et al 2003).

Majority of Nigerians are barely surviving financially with 70.2 per cent living below US\$ 1 a day (UNDP, 2005). Poverty rate has increased from an average of 27 per cent in the 1980s to over 70 per cent in 2003 (African Economic Outlook, 2005). A national poverty survey carried out indicates that the high tropic

areas have moderate poverty while the northern regions have poverty levels that are as high as 60% (Odusola, 1997; Okunmadewa et al., 2005; NBS, 2009) with higher incidence in the rural areas

Several authors have considered poverty using the uni-dimensional approach, only few have adopted the multidimensional approach, Estimating child poverty from a multidimensional perspective is recent and few. The different dimensions of poverty remain a challenge to choosing the appropriate poverty measure and indicators Whereas the choice of a specific poverty measure may have major consequences for poverty reduction, some measures may better identify specific poverty situations than others (Hagenaars&Vos 1988; Laderchi et al., 2003).

This paper examines the incidence and determinants of child poverty in rural Nigeria. It estimates poverty among children of less than five years old. Literature on child poverty considered from the multidimensional perspective in Nigeria is rare. However, various studies conducted on poverty in Nigeria in the past include World Bank (2008), Onah (1996), Echeberi (1997) Ogwumike and Ekpeyong (1996), Anyanwu (1997), Odusola (1997), Englama and Bamidele (1997). None of them quantified the specifics of child poverty and the factors that influence it. An exception is the Global Study on Child Poverty and Disparity by UNICEF which employed the use of the MICS 2007 to examine well being in children. The Alkire and Foster methodology has an added advantage to previous multidimensional measures as it introduces a dual-cutoff identification method, while its aggregation methodology builds on the traditional FGT approach. Also, the depth and severity of poverty can be estimated using a multidimensional approach.

II. OBJECTIVES

The broad objective of this paper is to examine the incidence and determinants of child poverty in rural Nigeria. The specific objectives are to:

- Describe the socio-economic characteristics of under-five children.
- Identify the dimensions of child poverty.
- Profile the poverty status of the children
- Identify the determinants of child poverty

III. LITERATURE REVIEW ON CHILD POVERTY

Bristol approach adopted by the Global study (UNICEF, 2007)- aligned child poverty measurement with the child rights approach and implement indicators and cutoffs for child poverty that reflected the definition agreed in the World summit. This was used to produce a large number of child poverty estimates across a large number of developing countries (Gordon et al, 2003;

Gordon et al., 2001; UNICEF, 2004). The studies used the DHS data which can be replicated with MICS data. It belongs to the counting tradition of poverty measures which reports the headcount or percentage of children who are multidimensionally poor. It has the advantage of being easy to estimate and interpret; but does not provide information on the depth and severity of poverty Delamonica and Minujin (2007) and Alkire and Foster (2007, 2011).

The Alkire- Foster (AF) method (2007,2011) combines the counting approach (Gordon et al., 2003 with the literature on axiomatic approaches to multidimensional poverty in welfare economics (Bourguignon and Chakravarty, 2003; Alkire, 2008). It provides multidimensional measure that reflects the intensity of poverty. It also reveals the depth and severity of multidimensional poverty.

In Nigeria, the UNICEF study using the MICS 2007 data used both the income/consumption and the deprivation approach to estimate child poverty and deprivations. The use of the income/consumption approach is based on the premise that the household poverty affect children in those households; being the most vulnerable. However, since all indicators of poverty cannot be captured based on money- metric measures, they also adopted the deprivation approach. In the deprivation approach, the seven areas considered as very basic for child survival, growth and development are shelter, sanitation, water, information, food and nutrition, education and health. The study used a set of threshold to categorize Nigerian children into levels of deprivation. Deprivation in each of these areas exists at two levels namely severe and less severe. The term 'absolute poverty' has also been used to describe a situation where children suffer at least two deprivations.

Alkire S and Manuel Roche. J (2011) measured child poverty in Bangladesh using four rounds of the DHS data for the period 1997-2007 and estimated the headcount, breadth, and severity of the various dimensions of child poverty. The selected indicators for children under - five are nutrition, water, sanitation, health, shelter and information. The results show that the Alkire-Foster adjusted headcount ratio produces different ranking than the simple headcount, because it reflects the simultaneous deprivations children experience.

Santos Emma and Karma Ura (2008) estimated multidimensional poverty in Bhutan using the Alkire and Foster (2007) methodology. With data from the Living Standard Survey, five dimensions were considered for estimation in rural and urban areas with additional two for rural areas. The study employed two alternative weighting systems: equal weights and weights derived from Gross National Happiness Survey. The dimensions considered are income, education, room availability, access to electricity and access to drinking water. For rural areas, access to roads and land ownership was

added. The estimates are decomposed into rural and urban areas, by dimension and between districts. The results show that the contribution of each dimension is dependent on the weighting system. Also, the ranking of districts was found to be robust for a wide range of poverty cut-offs. The methodology is suggested as a potential formula for national poverty measurement as well as a tool for budget allocation among districts and dimensions.

Batana (2008) used the Alkire and Foster (2007) method to estimate multidimensional poverty in fourteen sub-saharan African countries. Identification of who is poor and who is not poor is based on four dimensions-assets, health, schooling and empowerment. Four main results include: Firstly, there are important cross-country differences in multidimensional poverty, Secondly, the ranking of countries based on the Alkire and Foster (2007) multidimensional poverty measure differs from the rankings based on standard welfare measures (HDI and Income poverty). Thirdly, decomposition of multidimensional poverty is more prevalent in rural than urban areas. Finally, decomposition of poverty by dimensions indicates that lack of schooling is the key contributor to multidimensional poverty.

Alkire and Suman (2009) applied the dual cutoff approach to study multidimensional poverty in India. They found that 60 percent of the poor households identified under the AF multidimensional poverty measurements were not included in India's social assistance program that targets the poor households as identified by comparing their income with official income poverty line. Alkire and Suman (2009) also illustrated the policy value of decomposable Alkire and Foster multidimensional poverty measures: to inform multisectoral planning by identifying local priorities for public investment. Based on the results, they concluded that the Alkire and Foster (2007) approach can be used to access dimensions that drive multidimensional poverty in different contexts.

Kabubo M. et al (2010) used the DHS data for the period 1993 to 2003 to estimate multidimensional poverty for mothers and children in Kenya. Two dimensions of well being were considered in their estimation of multidimensional poverty which are assets and health. First, a composite poverty indices for asset was estimated using the MCA and secondly the multidimensional poverty indices were estimated and ordered; using the Alkire and Foster (2007) methodology. The determinants of poverty was isolated by use of the bi-probit model.

IV. METHODOLOGY

a) Scope of Study

Nigeria is the most populous country in Africa and the ninth most populous country in the world providing habitation for 1.9% of the world's population

as at 2005. There is a forecast that this will rise to 2.2% in 2015, and attain the sixth most populous country rank by 2050. The National Population Commission (NPC) put the population of Nigeria at about 88.5 million in 1991 and 140 million in 2006 (FRN, 2007). The 2006 census estimates further claims that 42.3% of the population is between 0 and 14 years of age, while 54.6% of the population is 15 to 65 years of age. The birth rate is significantly higher than the death rate at 40.4 and 16.9 per 1000 people respectively. The study area is rural Nigeria. Nigeria is made up of 36 states and a Federal Capital Territory (FCT), grouped into six geopolitical zones: North Central, North East, North West, South East, South South, and South West.

b) Source and Type of Data

The study used secondary data comprising mainly of the Demographic and Health Survey (DHS) data collected by Macro International in 2008. The DHS survey data is a national representative data. It contains rich demographic data and few relevant socio-economic data on households and household assets. It provides data on the welfare of children and adult in households.

c) Analytical Technique

i. Alkire-Foster Approach

Alkire and Foster's (2007) methodology includes two steps: an identification method (ρk) that identifies 'who is poor' by considering the range of deprivations they suffer, and an aggregation method that generates an intuitive set of poverty measures (Ma) (based on traditional FGT measures) that can be broken down to target the poorest people and the dimensions in which they are most deprived. It also proposes two additional measures in the same class of multidimensional poverty measures: the adjusted poverty gap and the adjusted FGT measure, which are sensitive to the depth of deprivation in each dimension, and the inequality among the poor.

a. The notation

Let $y = [y_{ij}]$ denote the $n \times d$ matrix of achievements, where n represents the number of children, d is the number of dimensions, and $y_{ij} \geq 0$ is the achievement of child $i = 1, 2, \dots, n$ in dimension $j = 1, 2, \dots, d$. Each row vector $y_i = y_{i1}, y_{i2}, \dots, y_{id}$ lists child i 's achievements, while each column vector $y_{.j} = y_{1j}, y_{2j}, \dots, y_{nj}$ gives the distribution of dimension j achievements across the set of children. Let $z_j > 0$ denotes the cutoff below which a child is considered to be deprived in dimension j and let z be the row vector of dimension specific cutoff. The expression $|v|$ denotes the sum of all the elements of any vector or matrix v , and $\mu(v)$ represents the mean of $|v|$, or $|v|$ divided by the total number of elements in v .

For a given matrix of achievements y , it is possible to define a matrix of deprivation $g^0 = [g_{ij}^0]$ whose

typical element g_{ij}^0 is defined by $g_{ij}^0 = 1$ when $y_i < z_j$ while $g_{ij}^0 = 0$ otherwise. Hence, g^0 is a $n \times d$ matrix whose ij^{th} entry is 1 when child i is deprived in Dimension j , and 0 otherwise according to each dimension cutoff z_j . From this matrix, we can construct a column vector c of deprivation counts, whose i^{th} entry $c_i = |g_i^0|$ represents the number of deprivations suffered by child i . Notice that the matrix and vector can be defined for any ordinal and cardinal variable from the matrix of achievements y .

b. Identification method

Following Alkire and Foster (2007), the vector c of deprivation counts is compared against a cutoff k to identify the poor, where $k = 1 \dots d$. Hence, the identification method p is defined as $p_k(y; z) = 1$ whenever $c_i \geq k$, and $p_k(y; z) = 0$ whenever $c_i < k$. Finally, the set of children who are multidimensional poor is defined as $Z_k = \{i : p_k(y; z)\}$. In other words, the method identifies as poor any child who is deprived in more than k number of dimensions. Alkire and Foster (2007) refers to p_k as a dual cutoff method because it first applies the within dimension cutoff z_j to determine who is deprived in each dimension, and then the across dimension cutoff k to determine the minimum number of deprivations for a child to be considered multidimensional poor.

They identify *absolute poverty* as those children who suffer from at least two or more deprivations (equivalent to $k = 2$), and as in *severe deprivation* those who suffer from at least one deprivation (equivalent to $k = 1$). Naturally, the decision regarding the across dimension cutoff depends on various factors including the number and type of indicators involved in the analysis. The Alkire-Foster method formulates more explicitly the dual cutoff method and allows us to compare the results according to different cutoff values in order to carry out sensitivity analysis.

c. Multidimensional poverty measure

The first measure to consider is the *headcount ratio* or the percentage of children that is poor. The headcount ratio $H = H(y; z)$ is defined by:

$$H = q/n \quad (1)$$

Where $q = q(y; z)$ is the number of children in the set Z_k as identified using p_k the dual cutoff method. Alkire and Foster (2007) proposed a headcount measure that is adjusted by the average number of deprivations experienced by the poor. To this end, a censored vector of deprivation counts c_k is defined so that if $c_i \geq k$, then $c_i(k) = c_i$; and if $c_i < k$, then $c_i(k) = 0$. This is to say that in $c(k)$ the count of deprivations is always zero for those children that are not poor according to the p_k dual cutoff method, while children that were identified as poor keep the original vector of deprivation counts c_i . Then, $c_i(k)/d$ represents the shared possible deprivations experienced by a poor

child i , and hence the average deprivations shared across the poor is given by

$$A = |c(k) \cdot qd| \quad (2)$$

Notice that this is different to Delamonica and Minujin (2007). They propose to measure the average deprivations across the whole population instead of across those who are identified as multidimensional poor. By focusing on the poor the Alkire - Foster approach allows computing a final adjusted headcount ratio that satisfies the properties of decomposability and poverty focus. The (dimension) adjusted headcount ratio $M_0(y; z)$ is given by:

$$M_0 = HA \quad (3)$$

or simply the product of the headcount ratio H and the average deprivation shared across the poor A . The (dimension) adjusted headcount ratio clearly satisfies dimensional monotonicity, since A rises when a poor child becomes deprived in an additional dimension.

In addition, similar to the headcount ratio H , M_0 satisfies decomposability, replication in variance, symmetry, poverty and deprivation focus, weak monotonicity, non-triviality, normalization and weak rearrangement (Alkire and Foster 2007). The Bristol approach measures child poverty with the headcount ratio H which is not sensitive to the breadth of multidimensional poverty. An attractive property of M_0 is that it can be decomposed by population subgroup. The decomposition is obtained by:

$$M_0(x, y; z) = \frac{n(x)}{n(x, y)} M_0(x; z) + \frac{n(y)}{n(x, y)} M_0(y; z) \quad (4)$$

Where x and y are the distribution of two subgroups (x, y) , the distribution obtained by merging the two; $n(x)$ the number of children in x , $n(y)$ the number of children in y , and $n(x, y)$ the number of children in $n(x, y)$. In other words, the overall poverty is the weighted average of subgroup poverty levels, where weights are subgroup population shares. This decomposition can be extended to any number of subgroups. In addition, it is also possible to break down overall multidimensional poverty measure to reveal the contribution of each dimension j to it. Once the identification step has been completed a censored matrix of deprivations $g^0(k)$ is defined whose typical entry is given by $g_{ij}^0(k) = g_{ij}^0$ for every i satisfying $c_i \geq k$, while $g_{ij}^0(k)$ for i with $c_i < k$. Then, $M_0(y; z)$ can be broken down into dimensional groups as:

$$M_0(x, z) = \sum_j \mu (g_{ij}^0(k))/d \quad (5)$$

Consequently, $(1/d) \mu (g_{ij}^0(k)/M_0(y; z))$ can be interpreted as the post-identification contribution of dimension j to overall multidimensional poverty.

Dimensions and Cutoffs

In this methodology, the deprivation cutoffs z_j and the poverty cutoff k are considered.

The dual cutoffs in this approach are quite different from one another. Cutoffs like z_j have long been used to identify deprivations in a dimension of interest. Consequently, in many variables there is a general understanding of what a given cutoff level means and how to go about selecting it (Sen (1981), Ravallion (1994), Foster and Sen (1997), Bourguignon and Chakravarty (2003), and Foster (2006). To be sure, any specific choice of z , no matter how well grounded, is somewhat arbitrary and should be subject to robustness tests — say, by evaluating poverty levels for a grid of nearby cutoffs (Duclos et al., 2007). But selecting reasonable levels for z should not be an unduly taxing exercise. The poverty cutoff k , by comparison, may seem less tangible, since it resides in the space between dimensions rather than within a specific domain. This sense is reinforced by the relative lack of attention that has been paid to the identification step: apart from the union and intersection approaches, specific multidimensional identification procedures are not typically given in the literature. But the identification

method pk and its parameter k provide a concrete solution to identification that can be readily grasped, especially in the equal-weighted 'counting' case that focuses on the number of dimensions in which people are deprived. A person with a greater multiplicity of deprivations is given higher priority than someone with only one or two deprivations; setting k establishes the minimum eligibility criteria for poverty in terms of breadth of deprivation and reflects a judgment regarding the maximally acceptable multiplicity of deprivations. The choice of k could therefore be a normative one, with k reflecting the minimum deprivation count required to be considered poor in a specific context under consideration.

There may also be a role for empirical evidence in the setting of k . If studies were to reveal that persons enjoying six functionings tended not to value a seventh, this might suggest setting a cutoff at a k of two or more dimensions rather than using the union approach.

The value of k could also be chosen to reflect specific priorities and policy goals. In this sense, the weights and poverty cutoff allow for a broad range of identification constellations (Nolan and Whelan (1996). Thus, the choice of k can be a useful policy tool. The dimensions and cutoffs in this paper is presented in Table 1.

Table 1: Dimensions And Deprivation Thresholds.

Safe Drinking Water	Children using water from an unimproved source such as open wells, open springs or surface water.(United Nations, 2003)
Sanitation	Children using unimproved sanitation facilities such as pit latrine without slab, open pit latrine, bucket toilet and hanging toilet.(United Nations, 2003)
Housing	Children living in a house with no flooring (i.e. a mud or dung floor) or inadequate roofing. (United Nations, 2003)
Health	Children who have not been immunized by 2 years of age. A child is deprived if the child has not received eight of the following vaccinations: bcg, dpt1, dpt2, dpt3, polio0, polio1, polio2, polio3, measles or did not receive treatment for a recent illness involving an acute respiratory infection or diarrhea. .(United Nations, 2003)
Health	
Nutrition	Children who are more than two standard deviations below the international reference population for stunting (height for age) or wasting (weight for height) or are underweight (weight for age). The standardization follows the algorithms provided by the WHO Child Growth Reference Study (WHO, 2006)

Source: United Nations (2003).

d. Choice of weights

One challenge with the construction of multidimensional poverty indices is the choice of weights, yet the ordering of wellbeing bundles can be very sensitive to the choice of weights (Decancq and Lugo, 2008). The weights determine the respective value of the different attribute (i.e.) intensity with which a chosen variable contributes to explaining poverty. Therefore, each attribute may be assigned different weights. The main methods of weighting proposed in the literature include equal weights, frequency –based weights, most favorable weights, multivariate statistical

weights (e.g. the principal component analysis (Rahman et al., 2003; Ram, 1982; Slottje, 1991), Multiple Correspondence analysis), regression based weights and normative weights (Decancq and Lugo, 2008). None of these methods has been proved the best, and most approaches to poverty measurements do not provide suitable methods to address the weighting issue. Instead, they give the latitude to assign weights to each dimension in a normative way (Batana, 2008). Caution is however advanced on the trade-offs that arise from using different weighting methods and the need for robustness tests to determine the impact of specific

value of weights on poverty indices. (Decancq and Lugo, 2008) the most commonly used approach is the equal weighting. Though convenient, equal weighting is far from uncontroversial (Decancq and Lugo, 2008; Alkire and Foster, 2007). According to Atkinson (2003), equal weights is an arbitrary normative weighting system that is appropriate in some but not in all situations.

ii. The Multiple Correspondence Analysis (MCA)

MCA is the application of the simple correspondence analysis (CA) algorithm to multivariate categorical data coded in the form of an indicator matrix or a Burt matrix. It consists of exploring the internal structure of a covariance matrix while producing an additive decreasing disaggregation of the total variance (inertia) of the matrix. MCA was designed to improve on the PCA procedure when the latter loses its parametric estimation optimal properties and to provide more powerful tools for describing the hidden structure in a set of qualitative variables (Asselin, 2009). It is therefore appropriate for the analysis of categorical assets data.

The weights associated to the indicators are determined by a Multiple Components Analysis (MCA) like authors such as Asselin (2002); Ki *et al* (2005) and Foko *et al*, (2007). First, all the variables are returned categorical and the modalities of every categorical variable are transformed in binary indicators taking, 1 if the individual has the considered modality and 0 otherwise. The weights are derived by dividing the factorial scores by the first eigenvalue.

iii. Logistic Regression

The logistic model formula is as follows:

$$P = Z = \beta_0 + \beta_1 X_1 + \beta_2 X_2 + \beta_3 X_3 + \dots \dots \beta_k X_k \quad (6)$$

The variable z is the measure of the total contribution of all risk factors used in the model. Here, β_0 is the intercept (constant), and $\beta_1, \beta_2, \beta_3$ to β_k are the regression coefficients of the predictor variables, X_1, X_2, X_3 , and X_k respectively. The computed p value or $f(z)$ is the probability of a particular outcome in the presence of the risk factors with the value range of 0 to 1. If P is a probability then $P/(1-P)$ gives the corresponding odds

(Pallant, 2007; Green & Salkind, 2005; Hosmer & Lemeshow, 2000).

$$Y_i = x_i \beta + \mu_i \quad (7)$$

Where:

y_i : denotes the dichotomous qualitative variable

x_i : denotes the vector of predictor variables

β : denotes vector of parameters

μ_i : denotes the residuals (errors)

The binary variable (poor or non-poor) expression is defined as follows:

$$\begin{aligned} 0 & \text{ is } y_i > Z \\ 1 & \text{ is } y_i \leq Z \end{aligned} \quad (8)$$

The estimation is given by:

$$L(y, x\beta) = \prod_{i=1}^N \left[\frac{1}{1 + \exp(x_i \beta)} \right]^{1-y_i} \left[\frac{\exp(-x_i \beta)}{1 + \exp(x_i \beta)} \right]^{y_i} \quad (9)$$

The predictor variables are into four categories: Child characteristics-age of child(X_1), sex of child(X_2); Parent characteristics- Mother's educational attainment(X_3), Father's educational attainment(X_4), Father's occupation(X_5); Household characteristics- Gender of household head (X_6), age of household head(X_7), age squared(X_8), wealth index(X_9), household size(X_{10}), household size squared(X_{11}), number of women who had first child at 16 years(X_{12}); Community characteristics – region (X_{13}), ethnicity(X_{14}), presence of health facility (X_{15}).

V. RESULTS AND DISCUSSION

a) Child Socio-economic Characteristics

This section presents the socio-economic characteristics of under-5 children in households of rural Nigeria. The characteristics considered are the gender and age in months of the children. The details are presented in the sub-sections below.

i. Gender

The table 2 below reveals that both male and female children were evenly distributed among households with 50.4% and 49.6% respectively.

Table 2 : Distribution of Children by Gender.

Gender	Frequency	Percentage (%)
Male	2291	50.4
Female	2252	49.6
Total	4543	100

ii. *Age*

The table 3 below shows the age categories of rural child in months. The percentage among age categories are closely distributed. Rural children of age category 0-9 had the highest percentage 17.8% with a number of 811 out of the total number of sampled children. This is followed by children of age 40-49

months with a percentage of approximately 17% , with those between 50-59 months of age with the least percentage of 15.4%. Majority of the households, (67.6%) had at least two children of age under-5 and about 30% had about 3-5 children below the age of 5 with a mean number of children being 2. The mean age of under 5 children in the household was 29.07 months .

Table 3 : Distribution of Children by Age.

Age of Child (months)	Frequency	Percentage (%)
0-9	811	17.8
10-19	746	16.5
20-29	730	16.3
30-39	770	16.9
40-49	724	17.1
50-59	702	15.4
Total	4543	100

b) *Dimensional Weights using MCA*

Presented in table 4 are the weights of the

indicators for the various dimensions. Any indicator with a negative score reduces welfare and vice-versa.

Table 4 : Dimensions and generated weights of MCA.

Dimension	Indicators	MCA Weights
Safe Drinking water	Piped or borehole	0.428
	No piped or borehole	-0.157
	Dug well	0.188
	No dug well	-0.004
	Surface water	0.045
	No surface water	-0.082
	Other sources of water	0.501
Sanitation	No other sources of water	-0.227
	Flush Toilet	1.788
	No flush toilet	-0.118
	Pit latrine	0.230
	No pit latrine	-0.216
	Other types of toilet	0.498
	No other types of toilet	-0.020
Housing	No toilet	1.048
	Toilet	-0.058
	Modern roof	0.701
	Rudimentary roof	-0.312
	Modern wall	0.591
	Rudimentary wall	-0.690
	Finished floor	0.681
Health	No finished floor	-0.623
	Immunized	1.630
	No immunization	-1.469
Nutrition	Vitamin A supplementation	2.319
	No vitamin A Supplementation	-1.002
	Stunted	0.368
	Not Stunted	-0.185
	Wasted	0.300
	Not wasted	0.034
	Underweight	0.431
	Not underweight	-0.081

c) Child Poverty Estimates

The multidimensional poverty estimates are based on five dimensions: Safe drinking water, Sanitation, Housing, Health and Nutrition. Estimation on child deprivation in these dimensions with different weights assigned as generated by the MCA were conducted. The number of dimensions in which a child must be deprived, a second cut off k , was set below which a child is considered poor.

Table 5 presents the estimated poverty index based on the value of the cut-off, k . It can be observed from the table that the poverty measures decreases with the level of k . This agrees with the findings of Batana, (2008). With the number of deprivations experienced by the children K equals 1, the head count ratio H is 90.9% compared to 36.6% for $k=3$. This is similar to head count ratio of Bangladesh that showed 96% of the children multidimensional poor for $K=1$ (Gordon et al, 2003). The adjusted headcount ratio also suggests that 52% and 27.9% for $k=1$ and $k=3$ respectively; of the children are poor. A similar result was reported for children in Bangladesh in which 48.7% and 40% of children are multidimensional poor for $k=1$ and $k=3$ respectively (Alkire, S. and Roche, J. (2011). Kabubo- Mariara et al., (2010) also found a slightly different results for rural children in Kenya in which 27.2% and 5.9% for $k=1$ and $k=3$ respectively. The intensity of poverty shows that the share of dimensions in which the poor are deprived increases with k . Although, the multidimensional child poverty index is decreasing, it is because the number of children that are poor is reducing but the intensity of poverty among the poor is increasing. This agrees with the findings of Alkire et al, (2011) where they posited that in Lesotho, Kenya and Nigeria, reduction in MPI is

achieved by reduction in headcount and barely by reduction in intensity of poverty. The average deprivation among the poor who experience at least a dimension is 2.86 dimensions and among children who experience at least 3 dimensions ($k=3$) it is 3.81. This is consistent with the findings of Alkire, S. and Roche, J. (2011) in which the average deprivation among children was 3.03 for $k=1$ and 3.67 for $k=3$.

Table 5 : Multidimensional Poverty indices.

(k)	($M_0=HA$)	(H)	(A)	Average deprivation
1	0.521	0.909	0.573	2.86
2	0.483	0.766	0.631	3.16
3	0.279	0.366	0.762	3.81
4	0.088	0.094	0.936	4.68
5	0.047	0.047	1.00	5.00

i. Contribution of Dimension to MPI

The relative contribution of the various dimensions to overall multidimensional poverty is shown in table 6. The results suggest that the highest contribution is from health dimension with 38.5% at $K=1$. This is followed by the sanitation dimension with 22.5% at $k=1$ while nutrition contributed least with 8.63%. Similar result is reported at $k=3$. This finding implies that sanitation and health of children should be a policy target to reduce child poverty.

Table 6 : Relative contribution of Dimensions to MPI.

Dimensions	Safe Drinking Water(%)	Sanitation(%)	Housing (%)	Health (%)	Nutrition(%)
K=1	18.40	22.58	11.85	38.54	8.63
K=2	16.66	20.71	12.33	41.14	9.16
K=3	16.10	17.36	15.31	38.17	13.06
K=4	12.01	14.25	9.64	32.05	32.05
K=5	13.34	13.34	13.34	29.99	29.99

ii. Decomposition of multidimensional poverty indices by region

The results in table 7 show that south west contributes the highest to multidimensional poverty indices (25.6%) followed by North West (19.2%) at $k=1$. Kabubo, M. et al 2010 opined that it is however difficult to order regions at all possible cut-offs, the

disparity between the rankings by indices and contribution is due to the relative differences in the region's population shares. The southern regions however contributed the highest to the overall MPI with 56.1% as against the northern regions with 44%. This is consistent with the National report by UNICEF(2008) on

Nigeria which reported that intriguingly, poverty among households with children in the southern geopolitical zones (54.4 %) was much higher than in the North with 55.2%.

Table 7 : Decomposition of Multidimensional poverty indices by region.

Poverty cutoff	K=1			K=3		
Region	M ₀	H	A	M ₀	H	A
North Central	0.130	0.128	1.02	0.121	0.121	1
North east	0.118	0.105	1.12	0.137	0.131	1.05
North West	0.192	0.163	1.18	0.257	0.251	1.02
South east	0.145	0.159	0.91	0.127	0.132	0.96
South west	0.256	0.275	0.93	0.252	0.261	0.97
South South	0.160	0.170	0.94	0.146	0.149	0.98

iii. *Decomposition of multidimensional poverty indices by gender*

The decomposition of poverty by gender of child for all possible poverty cut-offs shows that males contributed more to the overall multidimensional poverty than female, though the difference is marginal. The gender differentials are presented in table 8. The

percentage of male and female children that are poor at k=1 is 52.6% for male and 51.7% for female while it is 28.4% for male and 27.3% for female at k=3. This is consistent with the findings on child poverty in Kenya by Kabubo - Mariara et al 2010. However, the intensity of poverty is lower for male children than female.

Table 8 : Decomposition of Multidimensional poverty indices by Gender.

Poverty cutoff	K=1			K=3		
Gender	M ₀	H	A	M ₀	H	A
Male	0.526	0.918	0.57	0.284	0.375	0.76
Female	0.517	0.899	0.58	0.273	0.357	0.78

d) *Determinants of Child Poverty*

Table 9 shows the logistic regression estimates of determinants of child poverty. The MPI obtained for poverty cutoff (k) equals one (0.521) was taken as the poverty line to classify households into poor and non-poor. The diagnostic statistics from the logistic

regression model shows that the log likelihood ratio χ^2 (1411.67) is significant at 1% level.

i. *Effect of Child Characteristics on Poverty*

The coefficients for different age categories of the child are significant and were statistically different from zero at 1%. The variables however are negatively

correlated with the probability of a child being poor. This shows that as a child's age increases (0-9 months to next age category), the probability of the child being poor decreases. The estimated marginal effect shows that the likelihood of a child within the age of 30-39 months being multidimensional poor is reduced by 0.19 percentage points.

ii. *Effect of Parent Characteristics on Poverty*

Households with women having secondary education have a negative coefficient and significant at 5%. The negative coefficient implies that the probability of a child being poor decreases with the level of education of the mother. A mother with a higher class of education reduces the likelihood of being multidimensional poor by 0.03 percentage points.

Also, a father with secondary education (significant at 5%) lowers the probability of a child being poor. A father with a secondary education has a higher marginal impact of reducing the likelihood of being multidimensional poor by 0.05 percentage points. This shows that child poverty decreases with the level of education of the parents as also reported by Apata et al (2010) in a study carried out in rural South-west Nigeria. This agrees with the findings of Bastos et al, (2009) that education increases the stock of human capital, which in turn increases labour productivity and wages. Since labour is by far the most important asset of the poor, increasing the education of the poor will tend to reduce vicious cycle of poverty. Also, Palmer-Jones and Sen (2003) found that in rural India, households where the primary wage-earner has received no formal education or only had up to primary level, they are more likely to be poor than households whose earning members have attended secondary school and beyond.

With respect to the occupation of household heads, the probability of a child being poor decreases with parents engaged in skilled, service jobs and other un-skilled occupation as shown by the negative correlation rather than in agriculture which has a positive relationship with the probability of the child being multidimensional poor. This is similar to the findings of Anyawu, (2010) in Nigeria that type of occupation has a high correlation with poverty. For household heads that are agriculture-employees, likelihood of child being multidimensional poor increases by 0.02 percentage points while those engaged in service job further reduces the impact of the child being multidimensional poor by 0.04 percentage points. It can be said that the occupation of the household head represents an important resource for the well-being of household members. This is further supported by Southgate, (2007) that asserted that the impact of the household head being primarily involved in agriculture is linked to the notion that poverty rates, hunger, and malnutrition are higher in the rural areas and among folks that depend primarily on agriculture for their livelihoods.

iii. *Effect of Household characteristics on Poverty*

The probability of a child being poor is lower when the household head is a male rather being a female. A female headed household had a positive correlation with the likelihood of being multidimensional poor and significant at 1%. Similar to this finding is the study carried out in rural south-west Nigeria by Apata, et al (2010) that female headed households had a higher probability of staying below the poverty line as further supported by World Bank, (1999) which reported that female headed household has been identified as the poorer group.

The estimated marginal effect shows that a child living in a female headed household increases the likelihood of being multidimensional poor by 0.03 percentage points as compared to the male category. The probability of a child being multidimensional poor increases with the age of household head which is significant at 10%. This is consistent with *apriori* expectation that poverty increases with old age as the productivity of the individual decreases. This position is consistent with those of Gang *et al.* (2002), Datt and Jolliffe (1999), and Rodriguez (2002).

The household size and household size squared coefficients had positive correlation with the probability of a child being poor and significant at 5%. Thus child poverty increases with increasing size of the household. The estimated marginal impact of the likelihood of child being multidimensional poor in a large household (11-20) increases by 0.04 percentage points. This position is consistent with Maxwell, (1996) and Maxwell et al, (1999) who opined that there is a family size paradox of poverty which Lipton, (1999) maintained that small households are less likely to be poor than others and are likely to be poor than others. Okunmadewa, (2002) and Gang *et al.* (2002) further explained that such is especially found in agrarian households.

In relation to the wealth quintile index, all categories other than 'poor' and the 'poorer' categories had a negative correlation with the probability of a child being poor. This implies that the probability of a child living below poverty line increases with households within the 'poor' and 'poorer' wealth index category. The marginal effect of children from rich households has a reduced effect on the likelihood of being multidimensional poor by 0.15 percentage points.

iv. *Effect of Community Characteristics on Poverty*

The probability of a child living below poverty line increases with the child being in the north-west region of the country and statistically significant at 5%. South west had a negative coefficient and significant at 5%. This implies that the probability of child being poor decreases from the north to the south as shown by the coefficients of other regions. A high marginal impact was observed on the probability of a child being

multidimensional poor from a geographical location. The marginal impact is highest in North West with a marginal impact of increasing the probability of being poor by 0.2 percentage points.

The presence of a health facility also reduces the probability of a child being poor as shown by the

negative correlation which is significant at 5%. The impact of the presence of a health facility in the community reduces the probability of being multidimensional poor by 0.02 percentage points as shown in last column of table 9.

Table 9 : Logistic Regression estimates of determinants of child poverty.

Variables	Coefficients	Marginal Effects
Child Characteristics		
Age in months		
10-19	-0.3824*** (0.1292)	-0.0887*** (0.0308)
20-29	-0.5684*** (0.1287)	-0.1336*** (0.0312)
30-39	-0.8358*** (0.1264)	-0.1986*** (0.0307)
40-49	-0.7028*** (0.1260)	-0.1661*** (0.0307)
50-59	-0.7832*** (0.1294)	-0.1155 (0.0234)
Sex of child		
Female	-0.0278 (0.0728)	-0.1731 (0.0279)
Mothers education		
Primary or less	-0.5071 (0.1019)	-0.0245 (0.0201)
Secondary	-0.7425** (0.1177)	-0.0106*** (0.0670)
Higher	-0.7096** (0.2312)	-0.0255** (0.0334)
Fathers education		
Secondary education	-0.1108** (0.0920)	-0.0479** (0.0300)
Higher education	0.5266 (0.6080)	0.0588 (0.0149)
Occupation		
Agriculture employee	0.2145** (0.1353)	0.0169* (0.0348)
Services	-0.1124*** (0.1456)	-0.0460*** (0.0091)
Skilled& Unskilled	-0.1846*** (0.1516)	-0.0422*** (0.0353)

Household characteristics		
Sex of household head		
Female	0.3264*** (0.1166)	0.0347*** (0.0305)
Age of Household head		
48-77	0.3437* (0.7377)	0.2358*** (0.0322)
More than 77 years	0.3967 (0.1242)	-0.4568 (0.0281)
Age Squared	-1.0088** (0.1383)	-0.5942 (0.023)
Wealth Quintile		
Poorer	1.9874*** (0.1393)	0.0280** (0.0194)
Middle	-2.7611*** (0.1533)	-0.0302** (0.0308)
Richer	-3.4010*** (0.2068)	-0.0166 *** (0.0563)
Richest	-1.88 (0.1773)	-0.1499 (0.1331)
Women who had child before 16years		
Yes	0.6344** (0.5331)	0.1321 (0.0390)
Household Size		
11-20	0.7684*** (0.8164)	0.0448*** (0.0345)
21-30	0.2688** (0.1593)	0.0487*** (0.0411)
Household size squared	0.2677** (0.1537)	0.0114*** (0.0067)
Community Characteristics		
Region		
North East	0.55784 (0.1589)	0.1148 (0.0290)
North West	0.6207** (0.2867)	0.2033 (0.1375)
South East	-0.5741*** (0.2705)	0.0226 (0.0255)
South West	-0.5353** (0.1425)	-0.0592 (0.0588)
South-South	-0.4984** (0.2385)	0.0188** (0.0078)
Ethnicity		
Igbo	-0.1641*** (0.2103)	-0.1189** (0.0272)
Yoruba	-0.2627** (0.1808)	-0.1078** (0.0267)
Others	-0.2086* (0.1345)	-0.0206* (0.0111)

Health Facility		
Yes	-0.3811** (0.1448)	-0.0150** (0.0053)
Constant	3.421 (0.3075)	
<hr/>		
Number of observations	=	4539
LR chi2(38)	=	1411.67
Log likelihood	=	-2313.286
Pseudo R ²	=	0.2338

*Standard error in brackets; *** $P < 0.01$ ** $P < 0.05$ * $P < 0.1$

VI. CONCLUSION AND RECOMMENDATION

The paper assessed the incidence, intensity and the determinants of child poverty in rural Nigeria using the Alkire - Foster multidimensional child poverty measurement. It was found that the estimated Alkire and Foster indices depend on the number of dimensions considered and that the poverty measure decreases with the number of dimension cutoffs or the sum of weights (K). The results show that the highest contribution to multidimensional poverty in rural Nigeria is from the health dimension followed by sanitation, safe drinking water, housing and the least contribution is from nutrition. The multidimensional child poverty index of 0.526 with minimal variations in the relative contribution of gender to overall multidimensional poverty index. In general however, efforts to combat child poverty should be directed to both male and female child in order to achieve the major goal of reducing poverty in general.

The determinants of child poverty show that age of child, parent's education, employment in the service sector, male-headed households, 'rich' households and presence of a health facility reduces the probability of a child being multidimensional poor. On the other hand, large household size, female-headed households, age of the household head and households engaged in agriculture increases the probability of a child being multidimensional poor.

Eradicating childhood poverty specifically should be considered from several dimensions as child poverty is a multidimensional phenomenon. The multidimensional child poverty index of 0.526 is too high as compared with the MPI of other sub-saharan countries. These include encouraging higher education for parents, provision of more health and sanitation infrastructure, promotion of family planning to reduce household size and improvement in agricultural productivity and incomes.

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Over Two Decades of African Commission on Human and Peoples' Rights: Flying or Fledgeling

By Timothy F. Yerima

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Abstract - This article examines the operation and performance of African Commission on Human and Peoples' Rights since 2007 when it was constituted. It takes a survey of the historical background of the Commission and considers its establishment, membership and independence in comparative perspective with the Inter- American Commission on Human Rights and former European Commission on Human Rights. It points out that taking into consideration the large size of Africa, it is crucially important that the composition of the Commissioners be enlarged. The article evaluates the functions, failures and achievements of the Commission and evaluates the impediments that hinder the Commission from effective performance of its functions since inception. It argues that while some of the obstacles can be overcome by the amendment of the Charter or adoption of Protocols to the Charter, others require political will by African leaders. The article also answers the question whether, with the establishment of the African Court of Human and Peoples' Rights and African Court of Justice and Human Rights that might replace it, the African Commission should be abolished or the Commission should be strengthened by overcoming the obstacles that hinder it from effective performance of its mandates.

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Abstract - This article examines the operation and performance of African Commission on Human and Peoples' Rights since 2007 when it was constituted. It takes a survey of the historical background of the Commission and considers its establishment, membership and independence in comparative perspective with the Inter- American Commission on Human Rights and former European Commission on Human Rights. It points out that taking into consideration the large size of Africa, it is crucially important that the composition of the Commissioners be enlarged. The article evaluates the functions, failures and achievements of the Commission and evaluates the impediments that hinder the Commission from effective performance of its functions since inception. It argues that while some of the obstacles can be overcome by the amendment of the Charter or adoption of Protocols to the Charter, others require political will by African leaders. The article also answers the question whether, with the establishment of the African Court of Human and Peoples' Rights and African Court of Justice and Human Rights that might replace it, the African Commission should be abolished or the Commission should be strengthened by overcoming the obstacles that hinder it from effective performance of its mandates. The article points out that taking into consideration the problems that besiege the African Commission; and the fact that the African Courts are established, not to replace the Commission but to complement its protective mandate, it becomes imperative that the African human rights system be strengthened or else the efforts made by the African leaders in establishing the Courts would be an exercise in futility.

I. HISTORICAL BACKGROUND

Like the Inter-American system, the history of African Commission on Human and Peoples' Rights,¹ passed through series of process before it was finally established. Even though there was lack of a Commission on Human Rights at its inception, the Organization of African Unity undertook "to promote international co-operation with regard to the UN Charter and Universal Declaration of Human Rights."² Even prior to 1963, the International Commission of Jurists,

Geneva, in January 1961, had organized a Conference in Lagos on the Rule of Law. The Conference, which was attended by one hundred and ninety-four African Jurists,³ addressed several human rights issues within the context of rule of law. "The Law of Lagos,"⁴ which was the outcome of the Conference's resolution, invited African Governments to, among other things, study the possibility of establishing international machinery for the protection of human rights in Africa. The Jurists, however, noted that this would not be easy to achieve; but the target would give impetus to "positive action by the Commission's national sections in Africa"⁵; and it would "open a crucial chapter in human rights movements in Africa."⁶

Although, African leaders rejected a draft Charter that provided for a Court of Mediation, Conciliation and Arbitration to be set up by means of separate treaty, they created, without hesitation, the "Commission of Mediation, Conciliation and Arbitration"; an *ad hoc* mechanism for the peaceful settlement of disputes among the OAU Member States, to accomplish the purpose of the Charter.⁷ A Protocol to the Charter adopted in 1964, did not only define the duties and powers of the Commission, but also made the Commission became an integral part of the OAU Charter.⁸

Aside the International Commission of Jurists, the pivotal role of the United Nations Commission on Human Rights (UNCHR) in the process of the establishment of African Commission cannot be undermined. After the Lagos Conference, the UN Commission, with a view to establishing an African Commission on Human Rights, organized seminars in

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¹ Established under Part II of the African Charter on Human & Peoples' Rights 1981 (See Article 30-62) (hereinafter African Commission or Commission).

² Organization of African Unity (OAU) Charter, May 25, 1963, 479 U.N.T.S. 69, 74 (hereinafter O.A.U Charter), Art.4 (1)(e).

³ Comprising of practicing lawyers and teachers of law, from 23 African Nations as well as 9 countries of other Continents. See T. O., Elias, *New Horizons in International Law* (2nd edn., 1992, at 95; C. D. Dakas, 'The Lessons of History', *Journal of Public and Private Law*, Uni.-Jos: Faculty of Law, 2003, at 74.

⁴ See Law of Lagos, Jan.7, 1961, para.4 reprinted in 3 *International Commission of Jurists Journal*, Vol.III, Nos.1-2, Spring (1961) – Winter (1961).

⁵ *Id.*, at 6.

⁶ C. D. Dakas, *supra* note 3.

⁷ See Organisation of African Unity, May 25, 1963, 479 U. N. T. S. 39, I.L.M.766 (hereinafter African Charter, Arts. XXIX, VII (4).

⁸ *Protocol of the Commission of Mediation, Conciliation and Arbitration*, 3 I.L.M. 1116, 1964, Art.32.

different African States. The seminar on "Human Rights in Developing Countries", held in Dakar, Senegal in 1966, was concerned with gaining support within the OAU for the creation of a regional Commission on human rights for Africa.⁹ Participants at the Cairo Conference unanimously reached consensus to, *inter alia*: "Appeal to all Government of Member States of the OAU to give their support and co-operation in establishing a regional Commission on human rights in Africa."¹⁰

The Economic Commission for Africa (ECA) Conference on "Legal Process and the individual," held in Addis Ababa, 1971, did not only welcome the recommendations made at the Cairo Conference, entrusting the OAU with the establishment of Human Rights Commission for Africa, but also recommended that the OAU should hasten the implementation of the said recommendations. But the functions of the Commission, which the ECA recommended, were that of promotion rather than interpretation of human rights.¹¹ It will be pointed out in this article that this was incorporated in the African Charter as the promotional mandate of the African Commission.¹² Other several seminars organized in various African States also gave supports to the establishment of both African Convention and African Commission.¹³ It will also be recommended in this article that African human rights should have a rethink and adopt this recommendation in the long-run.

Also, in pursuance of the recommendations of the African Jurists at the Lagos Conference, the International Commission of Jurists, in collaboration with the Senegalese Association of Legal Studies and Research, organized a colloquium in Dakar, Senegal in 1978. The participants recommend the establishment of a Human Rights Commission to tackle the problem of flagrant violation of human rights in Africa. They also set up a Committee to ensure that their recommendations were carried out.¹⁴ All these efforts were aimed at

prodding the OAU towards the creation of a system for the protection of human rights in Africa. By 1979, the sustained campaigns mounted by the UNCHR and International Commission of Jurists as well as other Non-Governmental Organizations (NGOs), coupled with the international condemnation of the atrocities perpetrated by some African leaders,¹⁵ had laid a strong foundation which culminated in the directive given by the Assembly of Heads of State and Government of the OAU to the Secretary-General of the OAU to organize without delay a meeting of highly qualified experts to prepare a preliminary draft of an African Charter which should provide, *inter alia*, for the establishment of mechanisms to promote and protect human rights.¹⁶

This nearly coincided with the seminar organized by the UNCHR on the "Establishment of Regional Commission on Human Rights, with Special Reference to Africa", also in Monrovia, Liberia. The seminar favoured the establishment of African Human Rights Commission, with the mandate of promotion and protection of human rights in Africa.¹⁷ All these arrangements ultimately culminated in the adoption of the African Charter on Human and People's Rights in 1981.¹⁸ The Charter makes adequate provisions for the establishment and mandate of African Commission.¹⁹ The Commission was, however, constituted in 1987 after election of its Members, pursuant to Article 64(1) of the African Charter.²⁰

II. RE-EVALUATING THE FUNCTIONS, FAILURES AND PROSPECTS OF THE AFRICAN COMMISSION

Article 30 of the African Charter provides to the effect that African Commission is established to promote human and peoples' rights and to ensure their

⁹ K. Quashigah, 'African Charter on Human and Peoples' Rights: Towards a More Effective Reporting Mechanism', available at www.chr.up.ac.za/publication/occ_pages/ocl/3html (accessed 04/03/2006).

¹⁰ UN, Seminar on the "Establishment of Regional Commission on Human Rights with Special Reference to Africa, Cairo Egypt, 12-15 Sept.1969". UN Doc.ST/TAO/HR/38.

¹¹ E. Osita ., *Human Rights in Africa: Selected Problems*, 1984, at 202-203.

¹² See *African Charter*, Arts. 17-25.

¹³ For example, Dar-Es-Salaam Seminar, *alias*, UN 'Seminar on the Study of New Ways and Means for promoting Human Rights with Special Reference to the Problems and Needs of Africa, Tanzania Oct.23 Nov5 1973', UN Doc/ST/TAO/HR/48.

¹⁴ The setting up of the Committee tagged "The Follow up Committee", was headed by Judge K. Mbaye. As traced, "The Committee visited several African States considered supportive of human rights. It was in the course of one of such visits that President Senghor of Senegal agreed to present a proposal for the establishment of an African Human Rights Commission at the next Session of the OAU". See C.D. Dakas, *supra* note 3 at 16.

¹⁵ These included leaders such as Idi-Amin of Uganda, Marçais Nguema of Gabon, Mengistu Haile, Mariam of Ethiopia, Bokassa of the Central African Republic, Mobutu Sese Seko of Zaire (now DR Congo). See K. Quashigah, *supra* note 9, stating that: "These were leaders whose human rights records were and will remain a dark spot of shame in the records of African history". Cf. Makay W.M., 'The African Human Rights System Perspectives,' *Revision of African Commisin on Human and Peoples' Rights* (1993), at 359, where he stated, *inter alia*, that "the atrocities and abominations of Idi-Amin of Uganda, Bokassa of the Central African Empire and Nguema of Equitorial Guinea, were viewed internationally as paradigmatic of the African leaders".

¹⁶ Assembly of Heads of State and Government, 6th Ord. Sess., OAU Res.AHJ/Dec.115 (XVI), 1979.

¹⁷ U.N :Seminar on the Establishemnt of Regional Commission on Human Rights with Special Reference to Africa, Monrovia, Liberia, 10-21 September 1979". UN.Doc/ST/HR/SER.A/4.

¹⁸ *African Charter on Human and Peoples' Rights*, June 27 1981, Doc.OAU/CAB/LEG/67/3/Rev.5. 21 ILM 52, (' 982) (hereinafter African Charter or Charter).

¹⁹ *Id.*, Arts.30 and 45.

²⁰ Art.64(1) of the African Charter provides that: "After the coming into force of the present Charter, Members of the Commission shall be elected in accordance with the relevant Articles of the Charter".

protection in Africa. Chapter II of part II of the Charter provides detailed mandate of the Commission. The main provisions of the Charter that deal exhaustively with the functions or mandate of the Commission are embodied in Article 45. Under these provisions, the functions of the Commission are tripartite or threefold in nature. The Commission promotes human rights; it ensures its protection; and it interprets the African Charter. The Commission, therefore, has educational, advisory and *quasi*-judicial roles respectively.²¹ There is, in addition, the *omnibus* clause to perform any other functions assigned to the Commission by the Assembly of Heads of State and Government of the AU.²² It is the threefold mandate of the African Commission that this sub-topic considers in turn.

a) Promotional Functions

It is crucial to reiterate that the Cairo seminar, 1969 and the Addis Ababa seminar, 1971, recommended that African Commission should essentially be a body saddled with promotional functions in the field of human rights. Recommendation of the delegates was incorporated in Article 45(1)(a) of the African Charter as the promotional mandate of African Commission. In the discharge of its primary functions under these provisions, African Commission is required:

...to collect documents, undertake studies and researches on African problems in the field of human rights, organize seminars, symposia and conferences, disseminate information, encourage national and local institutions concerned with human and peoples' rights; ...and give its views or make recommendations to Government;...(to) co-operate with other African and international institutions concerned with the promotion and protection of human and people's rights.

In addition, the Commission has the responsibility of laying down rules and principles for the solution of problems and for legislation on human rights issues. Considering the promotional functions of the Commission, one is inclined to agree that: "The Charter gives pre-eminence to the promotion of human rights and vests a wide range of responsibility on the Commission..." that are not explicitly vested on the defunct European Commission and Inter-American Commission.²³

Although, the functions of African Commission are tripartite with *omnibus* provisions, its promotional functions are considered as primary before others. According to a writer, this is predicated on the fact that the Commission has no capacity to compel State

Parties to abide by its decisions independently.²⁴ Onje Gye-Wado had expressed similar view where he saw the promotional functions of the Commission as its primary responsibility because it is incapable of enforcing its decisions. As a result, it is easier, if not more convenient, to popularize the rights guaranteed by African Charter, so that their infringement can be minimized "requiring little or no enforcement action."²⁵

It has also been noted that in a continent rife with egregious abuses of human rights, the primary functions of the Commission is promotional and not, as would be expected, protective, through giving publicity to violation or even acting in a *quasi*-judicial way.²⁶ The promotional functions of the Commission under the Charter are a device to raise popular awareness of the Charter and to increase human rights education.²⁷

At the early stage of its establishment, it was advised that, to give effect to the provision of the Charter which requires the Commission to "give its views or make recommendations to the Government with regard to the promotion of human and peoples' rights", the African Commission should recommend to State Parties to translate the Charter into readable local languages, so that the message of the Charter can be understood by everybody. This is important as the degree of illiteracy in Africa is so high.²⁸

In a similar way, in the discharge of its mandate to "disseminate information", the Commission has been advised to work closely with relevant NGOs operating in rural areas. The legal services, it is advised, should include pamphlets in the dialects explaining the rights, obligations and the roles of African Commission under the African Charter. This recommendation was based on the reasoning that until the people in the rural areas of Africa understand the provisions of African Charter in their local languages and dialects the Charter would become an ineffective legal instrument.²⁹ It is submitted that though this is a sound recommendation for the Commission, it is a difficult task to achieve considering the fact that Africa has uncountable local languages and

²⁴ M. O. U., Gasiokwu M.O.U, *Human Rights- History, Ideology and Law* (JOS-Nig.: FAB, 2003), at 188.

²⁵ O. Gye-Wado, "A Comparative Analysis of the Institutional Framework for the Enforcement of Human Rights in Africa and Western Europe" 23 *Afric. Journal of Inter'l and Comp. Law*, 1990 at 189, where he added: "if States are sufficiently aware of their obligations under the African Charter, it is hoped that they will be seen to carry out such obligations in good faith".

²⁶ W. M. Makay W.M., 'The African Human Rights System in Perspective,' *Rev. of African Human Rights Commission on Hum. & Peoples' Rights*, (1993), at 9.

²⁷ B. Emmanuel, 'The Mandate of the African Commission on Human and Peoples' Rights- Article 45 Mandate of the Commission,' *Afric. Journal of Inter'l Law*, Vol. 1, No.1 1, Summer (1998) at 76.

²⁸ *Id.*, at 34.

²⁹ A. Philip, 'The African Charter on Human and Peoples' Rights – An Effective Weapon for Human Rights', 4 *Afric. Journal of Inter'l Comp. Law*, (1992), at 230.

²¹ A. Saffari, 'The Enforcement of Human Rights in Africa with Reference to Tanzania,' 8 *Rev. of the Afric. Comm. on Hum. & Peoples' Rights*, (1999) at 301.

²² African Charter Art. 45(4).

²³ U.O. Umozurike, *The African Charter on Human and Peoples' Rights* (The Hague Martinus Nijhoff Publishers, 1997) at 66 at 381.

dialects. Moreover, in view of the high rate of illiteracy in Africa, it is doubtful if this device can work successfully.

It has also been criticized that Member States of African Charter have not assisted African Commission to achieve its promotional mandate. This is due to the specific reason that State Parties to the Charter have no interest in the recommendation of the Commission on the establishment of human rights Committee at the national level; the consequence of which no significant effort has been made in passing information down to local populations of State Parties.³⁰

Scholars have also criticized that African Commission has failed or been reluctant to take advantage of its promotional powers to effectively and aggressively promote human rights consciousness; the Commission has held only few conferences; it has not undertaken many studies as required by Article 45(1)(a) of the African Charter.³¹ On the *contra*, the Inter-American Commission has utilized its promotional power to conduct country studies and On-site investigations after which it published its findings with the aim to putting pressure on the Government involved.

Also, in the area of dissemination of information including the awareness by many people in Africa of the existence and work of the African Commission, the expectation that people need to be enlightened of the activities of the Commission, through radio and television programmes, newspapers, magazines and other means of communication, is still a vain hope.³²

However, it is difficult to accept that the African Commission has failed completely in achieving its promotional functions. The Commission in its Fifth Session had resolved that State Parties should incorporate in their educational *curricula*, the teaching of human rights at all levels; integrate the provisions of the African Charter into National Laws of Members and establish Committees on Human Rights at national, sub-national and regional levels to ensure respect for the protection of human rights.³³ Today, all these have been achieved to certain level.

Some African countries have incorporated the provisions of African Charter into their domestic Law. Nigeria, for example, incorporated the African Charter through the African Charter (Ratification and Enforcement) Act.³⁴ In fact, it has been held that "the

Charter possesses 'a greater vigour and strength than any domestic Statute' of Africa.³⁵

The Commission, during its Second Extra-Ordinary Session in Kampala, Uganda, from December 18-19, 1995, condemned human rights abuses of the past Nigerian Military regime of Late General Sani Abacha, and requested that the Government should prevent harm to the Ogoni detainees. Although, the Military Government went ahead with the trial, despite the directive given by the African Commission that it should hold on (which culminated to the execution of the Ogoni leaders including Ken Saro Wiwa),³⁶ the effort of the Commission gave a glimmer of hope, at least, that it was serious to promote and protect human rights in Africa.

Also, in an effort to assist the African Commission to achieve its promotional mandate, Nigeria, like other African countries, establishes the National Human Rights Commission,³⁷ with the aim to, *inter alia*, "facilitate Nigeria's implementation of its various treaty obligations in the area of human and peoples' rights and (to) provide a forum for public enlightenment and dialogue on human rights...".³⁸ The main function of the Commission, under section 5(a) of the National Human Rights Act, is to deal with all matters relating to the protection of human rights as provided for by the Constitution of the Federal Republic of Nigeria and the African Charter, UN Charter and the UDHR as well as other international treaties on human rights to which Nigeria is a State Party. It is gratifyingly interested that the National Commission, like other National Commissions or Committees of other African States, Parties to the Protocol and Statute of the African Court of Justice and Human Rights, among other parties have direct access to the African Court of Justice and Human Rights, which may replace the Court.³⁹

It is also noteworthy that the African Commission has, in collaboration with national and international institutions, sponsored a number of

³⁰ M.O.U. Gasiokwu, *supra* note 23, at 190-191.

³¹ W. M. Makay, *supra* note 26. See also Gye-Wado O., *supra* note 22., stating that "... the Commission has failed in the area of popularizing the African Charter and its activities. Other than activities by workers and researchers in the area of human rights, very little is done to pass information down to the local population".

³² U. Essien, "The African Commission on Human and Peoples' Rights: Eleven Years After", *Buffalo Human Rights Law Review*, Vol. 6 (2000), at 97.

³³ U.O. Umozurike U.O., *supra* note, 23, at 381.

³⁴ Cap.10 Laws of the Federation (LFN), 1990 (now Cap.A9 2004).

³⁵ *Per* Ogundare JSC in *Abacha v. Fawehinmi* (2000) 2 SCNQR 496. However, the learned Justice added: "but that is not to say that the Charter is superior to the Constitution..." See also *Oshevere v. British Caledonian Air ways Ltd.* (1990) 7 NWLR 507, *UAC of Nigeria v. Global Transporte Oceanico SA* (1996) 5 NWLR 291, *Constitutional Rights Project v. President Ibrahim Babangida & 2 Ors.*, Suit M/102/93, *Chima Ubani v. Director of State Security Services & Attorney-General* (1999) 11 NWLR 129 (Court of Appeal). For detailed comments on these cases, see Obiora C.A., *The African Human Rights System – Activist Forces and International Institutions* (Cambridge: Cambridge University Press, 2007), at 110-114.

³⁶ See *International Pen (on behalf of Ken Saro-Wiwa Jr), v. Nigeria*, *supra*.

³⁷ National Human Rights Commission was established by Decree 22 of 27th September 1995, (now National Human Rights Commission Act, CAP 244 LFN 1990, now CAP.N46 LFN 2004 (hereinafter National Commission)).

³⁸ *Ibid.*, 2nd para. to to preamble.

³⁹ Statute of the African Court of Justice and Human Rights, *infra*, note 177, Art. 30(e).

seminars and international conferences. These institutions include, *inter alia*, UNESCO, UN Center for Human Rights, International Commission of Jurists, European and Inter-American Commissions, Center for Human Rights and Democracy, Banjul and Freidrick Naumann Foundation, Penal Reform International and International Observatory of Prisons. The Conferences have covered a broad spectrum such as community work, economic, social and cultural rights, HIV/AIDS in African, Prisons, and Women's Rights in Africa and have been held in different African States.⁴⁰

Another significant achievement of the promotional functions of African Commission is its collaborative activities with the NGOs. It has been traced that prior to the establishment of the Commission, African Human Rights NGOs used to work only with NGOs based in Europe and America. Consequently, there was no significant interaction among African NGOs. But with the establishment of the African Commission, there is a change of event. The Commission created a platform for NGOs to meet twice every year to exchange ideas. The contributions and submissions of African NGOs, with Observer Status at the Commission's Sessions had given impetus to the

adoption of additional Protocol to the African Charter,⁴¹ including the Protocol establishing the African Court of Human and Peoples' Rights,⁴² and Protocol to the African Charter on the Rights of Women in Africa,⁴³ and now the Protocol establishing the African Court of Justice and Human Rights.⁴⁴ NGOs forum had also convinced African leaders of the crucial need for an African Union.⁴⁵

In general, the number of NGOs, with Observer Status with African Commission, is increasing at the increasing rate, to use the sentiment of the economists. In its 37th Ordinary Session alone, the Commission granted Observer Status to 13 NGOs, thereby bringing the total number of NGOs enjoying Observer Status to 332.⁴⁶ African Commission itself acknowledged the contributions of NGOs in the promotion of human rights in Africa.⁴⁷

b) Protective Functions

The second mandate of the African Commission as contained in Articles 30 and 45(2) is to ensure the protection of human and peoples' rights under the conditions that are provided under the African Charter. It is important to state from the onset that the protective mandate of the Commission consists principally of receiving communications and acting on them in the manner prescribed by the Charter. The Charter provides for the reception of complaints or communications of human rights violations by both State Parties to the Charter and individuals. After a thorough consideration of the complaint, the Commission prepares a report clearly stating the fact and its findings. The report is, thereafter, transmitted to the State concerned; and if reconciliation fails, the Commission may refer the matter to the General Assembly of Heads of State and Government, where the fate of the re to consider any communication from anyone, including NGOs, provided that any of the rights

⁴⁰ These include: Seminar on the "National Implementation of the African Charter in the Internal Legal Systems in Africa," Banjul, 26-30 October 1992; Conference on the "Journalist and Human Rights in Africa," Tunis, 31 October – 1 November 1992; Seminar on "State Reporting for English-Speaking Countries," Harare, 23-27 August 1993; Seminar on "State Reporting for Francophone, Arabophone and Lusophone Countries," Tunis, 24-27 May 1994; Seminar on "Refugees and Internally Displaced Persons in Africa," Harare, 16-18 February 1994; Seminar on "Human Rights Education in South Africa," Durban, 24-27 September 1994; Seminar on "Human Rights of the African Women and the African Charter on Human and Peoples' Rights," Lome, 8-9 March 1995; Workshop on "Impunity in Africa," Ouagadougou, 22-23 March 1996; "Brainstorming on Mechanism for Early Warning in Emergency Situations under Article 58 of the African Charter," Nairobi, 23-25 July 1996; Conference on "Prisons in Africa," Kampala, , *et cetera*. See U. Essien, *supra* note 32, at 96-97. See also P. C. Okorie, "The Contribution of the African Commission on Human and Peoples' Rights to the Enforcement of the African Charter," *Human Rights Review-An International Human Rights Journal*, Vol. 2, No. 2, July 2011 at 515, stating that "judged by its four plans of action which are in conformity with the provisions of Article 45(1) of the Charter, the Commission can not be fairly described as having failed to meet its promotional mandate," grouping its promotional achievements into "publications, lectures, and conferences, use of special rapporteurs, use of working group, collaboration with non-Governmental organizations (NGOs), collaboration with National Human Rights Institutions (NHRIs). See also P.C. Okorie, "The Contribution of the african Commission on Human and Peoples' Rights to the Enforcement of the Charter," *Human Rights Review: An International Human Rights Journal*, Vol. 2, No. 2 July 2011, at 515, stating that "judged by its four plans of action which are in conformity with the provisions of Article 45(1) of the Charter, the Commission cannot be fairly described as having woefully failed to meet its promotional mandate," grouping its promotion and achievements into 'publications, lectures, and conferences' 'use of special rapporteur,' 'use of working group,' 'collaborations with National Human Rights Institutions (NHRIs).'

⁴¹ Y. Akinseye-George, 'New Trends in African Human Rights Law: Prospects of an African Court of Human Rights', 10 *University of Miami Inter'l & Comp. Law Review*, (2001-2002), at 169-170.

⁴² Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, June 9, 1998, OAU Doc. OAU/LEG/AFCH/PROTIII (entered into force on 25 Jan. 2004), (hereinafter African Human Rights Court Protocol or Protocol).

⁴³ Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted by the 2nd Ord. Sess. of the Assembly of the African Union (AU), Maputo, 11 July 2003.

⁴⁴ Protocol of the Statute of the African Court of Justice and Human Rights, available at http://www.hurisaorg.za/advocacy/AfricanCourt/Single_Legal-Instrumentpdf.

⁴⁵ Y. Akinseye-George, *supra* note 41, at 170.

⁴⁶ See the final Communique of the 37th Ordinary Session of the African Commission, Banjul, the Gambia, from 27 April – May 2005.

⁴⁷ U. Umzurike *supra* note 35 at 71; Philip A. *supra* note 29 at 230-231.

enshrined in the African Charter is alleged to have been violated.⁴⁸

The device of "friendly settlement" or "amicable settlement" allowed by the Charter is significant; it ends dispute between the parties as witnessed in *Kalenga v. Zambia*.⁴⁹ In that case, the complainant, who had filed a communication alleging port lies.⁵⁰ In *Dauda Jawara v. The Gambia*,⁵¹ the Commission declared that it is empowered violation of the right to liberty, was released because a Commissioner adopted a peaceful resolution. Consequently, the communication was struck out without further inquiry into its merits.

Similarly, under the former European system, any person, NGOs or group of persons, who claimed to be victim of violation of the European Convention by Contracting Party, might petition the Commission. But the Commission would entertain the petition only on condition that the Contracting Party against whom the petition had been lodged had deposited a Declaration with the Secretary-General of the Council of Europe stating that it had recognized the competence of the Commission to deal with such petition(s).⁵² To that extent, the defunct European Commission system, unlike African Commission, could be compared with the procedure under the Second Protocol to the ICCPR⁵³ and the African Human Rights Court Protocol.⁵⁴ In contrast, the requirement of a State lodging a declaration recognizing the competence of the Commission to deal with petition(s) does not exist under the Inter-American system.⁵⁵

African Commission also ensures the protection of human and peoples' rights under the condition provided by the African Charter. Strictly speaking, this depicts that the Commission is not allowed to act beyond the provisions of African Charter. However,

Article 46 of the Charter allows the Commission to "resort to any appropriate method of investigation; it may hear from the Secretary-General of the AU or any other person capable of enlightening it." This provision gives African Commission power to employ other methods than those categorically stated under African Charter to promote and protect human rights. Since 1995, the Commission has embarked on a number of missions to African States, Parties to the Charter. For example, between 1996 and 1997, the Commission conducted missions to four African States: Senegal, Mauritania, Sudan and Nigeria. It undertook similar missions to Togo, Zimbabwe, Mali, Lesotho and Botswana in April 1999. This was a turning point because attempts made by the Commission to embark on fact-finding in Zaire and Malawi prior to 1999 proved abortive.⁵⁶

The mission to Nigeria, particularly to Ogoni land between 7th – 14th March, 1997, was as a result of the communication filed by the *Social and Economic Action Rights Center (SERAC)* and Others alleging, *inter alia*, violations of the rights to health, clean environment, life and housing. The Commission during its on-site visit witnessed the deplorable situation in Ogoni land, including the environmental degradation.⁵⁷

Similarly, the purpose of the visit to Mauritania by African Commission was prompted by the Communication submitted to it revealing "disturbing violations of human rights"; in particular the massacres and expulsions of Black Mauritians and violations of their rights to speak their own language; incidents of torture and deaths in detention.⁵⁸

At the 37th Ordinary Session of the Commission in Banjul, Gambia, between 27th April and 11th May 2005, it adopted the Report on the missions to Angola (now DR Congo), Nigeria, Sierra-Leone and Sudan. On human rights violations in Darfur, the Commission called on the Government of Sudan to comply with its obligations under the Constitutive Act of the AU and the relevant instruments to which Sudan is a State Party.⁵⁹

Also, the role of African Commission in democratic process in Africa cannot be underscored. For example, the Commission had pointed out that the presidential election in Togo before the one held in March, 2010, which brought Faure Gnassingbe to power was characterized by violence culminating in the outflow of internally displaced persons (IDPs) and of refugees

⁴⁸ See also A. E. Anthony A.E., 'Beyond the Paper Tiger: The Challenge of Human Rights in Africa,' Summer 1997, *Texas Inter'l Law Journal, Univ. of Texas School of Law Pub.*, available at www.africancourtcoalition.org/content_files/Beyondthe_Tiger.doc, where he stated that the Commission has powers comparable to those granted to its regional counterparts in Europe and Latin America.

⁴⁹ Comm. No.11/88.

⁵⁰ See *African Charter*, Arts. 47, 48, 55 and *Rules of Procedure of the African Commission 1987* (as amended), Section II of Chapter XVI.

⁵¹ Comms

⁵² European Convention, Art.25; See L. R. Adebisi L.R., "The Mandate of the Enforcement of Human Rights," *Brainfield Law Journal (BLJ)*, Vol. 2, No. 2, Sept. (2004), at534.

⁵³ *Second Optional Protocol to the ICCPR, Aiming at the Abolition of the Death Penalty*, adopted by the UNGA Res.44/128 of 15 Dec.1989 (entered into force on 11 July 1991), Art.5 (Individual Complaints) with respect to the States Parties to the First Optional to the ICCPR adopted on 16 Dec. 1966.

⁵⁴ *African Human Rights Court Protocol*, Arts.5(3) and 34(6). Cf. *Protocol of the merge Court*, Art. 8; *Statute of the merged Court*, 30(f).

⁵⁵ *Inter-American Convention*, Art.44. The Article, however, states to the effect that any person or group of persons, or any NGO may lodge petition with the Commission containing complaints of violation of the Convention by a State Party.

⁵⁶ H. J. Steiner . & P. ton ., *International Human Rights in Context: Law, Politics, Morals*; 2nd edn., at 927.

⁵⁷ See *SERAC & Anor v. Nigeria*, available at <http://www.wjp.at.za/humanrts/africa/comcases/155-96.html>

⁵⁸ Murray R., "On-Site Visits by the African Commission of Human and Peoples Rights: A Case Study and Comparison with the Inter-American Commission on Human Rights", *11 African Society of Inter'l and Comp. Law Proc.* 10th Annual Conf. (1998), at 461.

⁵⁹ See Final *Communiqué* of the 37th Ordinary Session of the African Commission.

into neighbouring States, and that there was cases of violation of fundamental rights of individuals in Togo. The Commission had called on Faure Gnassingbe to form a Government of national unity as agreed in Abuja on 25 April 2005.

The Commission has also passed plethora of resolutions expressing its views and recommendations to Governments and for the purpose of solving legal problems relating to human and peoples' rights.⁶⁰ The Commission had earlier during its Sixteenth Session condemned the military take-over of the Government of the Gambia on 22 July 1994, regarding it as "a flagrant and grave violation of the rights of the Gambian people to freely choose their Government."⁶¹ Similar resolutions were adopted with regard to other more recent military take-over of Governments in other States, including Mauritania.⁶²

The African Commission has also utilized its powers under the provision of Article 46 of the African Charter to appoint thematic rapporteurs including, Special Rapporteur on Extra Judicial, Summary or Arbitrary Executions; Special Rapporteur on Prisons and Conditions of Detention; and Special Rapporteurs on Women's Rights.⁶³

c) Interpretational Functions

Apart from the promotional and protective functions of African Commission, the Commission also has a *quasi*-judicial power to interpret provisions of the African Charter whenever it is so requested by a State Party, an institution of the AU, or an African Organization recognized by the AU to do so.⁶⁴ This is the competence of African Commission to give an advisory opinion on any legal question. To that extent, the interpretational powers of African Commission can be compared with the power of International Court of Justice to offer

advisory opinion at the request of whatever body might be authorized by or in accordance with the UN Charter to take such a request.⁶⁵

In the exercise of its interpretational powers, the African Commission is required, under Article 60 and 61 of the African Charter, to draw inspiration from international law on human and peoples' rights including those enshrined in the UN Charter, the AU Constitutive Act, the UDHR, ICCPR, ICESCR and other specialized Conventions ratified by State Parties. The very reason that these international human rights instruments are sources of law of African Commission means that the Commission, in discharging its interpretational power, should be bold to reconcile some conflicting provisions of the African Charter with those international human rights provisions. These include those provisions dealing with *claw-back* clauses and absence of derogation clause; socio-economic rights, group or peoples' rights; and duties of individuals,⁶⁶ and others.⁶⁷

In all fairness, it has been pointed that in recent years, the Commission's functioning has been revamped; it has interpreted the relevant provisions of the Charter in such a manner as to provide for a right to submit individual complaints; it has often ignored confidentiality provisions; and it has interpreted the so-called '*claw-back* clauses' restively. In *Amnesty International (on behalf of Benda and Chinida) v. Zambia*,⁶⁸ the African Commission ruled that recourse to *claw-back* clauses should not be used as a means of giving credence to violations of the express provisions of the African Charter. It will, however, be shown latter in this article that there is ample evidence establishing that confidentiality clause is still one of the problems of African Commission.

⁶⁰These include: Recommendation on Periodic Report, Recommendation on Some Modalities for Promoting Human and Peoples' Rights; Resolution on the Situation in Rwanda, Resolution on The Gambia, Resolutions on Nigeria, Resolution on the Establishment of Committees on Human Rights or other Similar Organs at National, Regional or Sub-Regional Levels; Resolution on the Integration of the Provisions of the African Charter on Human and Peoples into National Laws of the States, *et cetera*. U. Eien, *supra* note 32.

⁶¹ See ACHPR/RPT/8th Annex VII Rev.1, adopted on 3 Nov. 1994. Similarly, the Commission regretted and condemned the annulment of the June 12, 1993, which "had been adjusted free and fair by national and international observers". See also Y. Akinseye-George., *supra* note 41 at 167 and *Dauda Jawara v. The Gambia*, Comm. 147/96 and 149/96 (consolidated).

⁶² On Wednesday, Aug., 2008, Military putsch in Mauritania ousted its first elected President, Sidi Ould Cheikh Abdallah. The Military ran into global opprobrium; the AU, United States and European Union rejected the coup. See *The Guardian*, Thursday Aug.7, 2008, at 1 & 2.

⁶³ F. o. Wara, "Bibliographical pathfinder: African System for the Protection and Promotion of Human Rights", 2002, Univ. Minnesota, Human Rights Library, available at www.umn.edu/human/bibliog/africanpathfindier.html. For detailed discussion on the Special Rapporteur, see .UEssien, *supra* note 32 at 100-102.

⁶⁴ *African Charter*, Art. 45(3).

⁶⁵ *UN Charter*, Art. 96. See T. O. Elias, *United Nations Charter and the World Court*, (Lagos: Nig. Institute of Advanced Legal Studies, 1989), at 124-127.

⁶⁶ For detailed discussion, see T. F.Yerima, "African Charter on Human and Peoples' Rights in Comparison with other International and Regional Human Rights Instruments", in I. Ibadabo- Obe .and T.F. Yerima. (eds.), *International Law, Human Rights and Development*, Uni-Ado Ekiti: Fac. of Law, 2004)at 60-79; J. Machowski, 'Peoples' Rights as a New Form of Human Rights', in G. B.Emmanuel and B. A. Bola (eds.), *Contemporary International Law and Human Rights*, Vol.1, (1991) at 3.

⁶⁷ N. J. Udombana, "Towards the African Court on Human and Peoples' Rights: Better Late than Never," Chapter three in *Human Rights and Contemporary Issues in Africa* (Lagos: Malthouse Press Ltd, 2003), at 125 footnote 108. *cf.* *Yale Human Rights and Devt. Law Journal*, 2000 at 45, where he stated: "this interpretational mandate is an important, albeit severely underused, power of the Commission giving the ambiguity of so many of the Charter's provisions – particularly regarding the legal scope of provisions related to group rights, duties, and economic, social and cultural rights forum".

⁶⁸ (No.212/98, 2000 AHR LR 325(ACHPR 1999). See also *Dauda Jawara v. The Gambia*- 147/96 and 149/96 (consolidated); Scott.L, "The African Court on Human and Peoples Rights", *The American Society of Inter'l Law*, Sept.19 (2006), Vol.10, Issue 24, available at <http://www.asil.org/insight000910.cfm>.

It is also no longer tenable to argue that African Commission has not had any opportunity to interpret the socio-economic rights as well as group rights provisions of the African Charter. The Commission has, in fact, interpreted the provisions regarding these rights and duties of States to respect, protect and promote these rights. In *SERAC v. Nigeria*,⁶⁹ in deciding the allegation in the communications by the complainants that Nigeria Government had violated the right to health and right to clean environment as recognized under Article 16 and 24 of the African Charter respectively by failing to fulfill the minimum duties required by these rights, African Commission relied on the provisions of Article 12 of the ICESCR, which Nigeria is a party to buttress that the provisions require Government to take necessary steps for the improvement of all aspects of environmental and industrial hygiene.

In interpreting the provision of Article 21 of the Charter dealing with the right of "all peoples to freely dispose of their wealth and natural resources", the Commission relied on the decision of the Inter-American and European Courts.⁷⁰ Accordingly, the Commission declared that the Government of Nigeria did not only have a duty to protect its citizens through both appropriate legislation and effective enforcement but also from damaging acts that might be perpetrated by private Parties. "This duty", the Commission concluded, "calls for positive action on the part of Governments in fulfilling their obligation under human rights instruments."⁷¹

Concerning the right to education, the African Commission held that the failure of Government to provide basic services necessary for a minimum standard of health, such as safe drinking water and electricity and the shortage of medicines in the country constitute a violation of the right to the best attainable State of physical and mental health guaranteed under Article 16 of the African Charter.⁷²

III. IMPEDIMENTS TO THE EFFECTIVE PERFORMANCE OF THE COMMISSION

While some writers have admitted that at least African Commission has made giant strides in the area of promotion and protection of human rights,⁷³ others have regarded it as a total disgrace to Africa and to Africans, relegating it to a *toothless bulldog* that can *bark* but has no ability to *bite*, arguing that after all it was

not created to bite;⁷⁴ it was rather intended to be a *paper tiger* and it actually turned out to be a *paper tiger*.⁷⁵

The African Commission has also been vilified as a "façade, a yoke that African leaders have put around our necks", and so there is need to "cast it off and reconstruct a system that we can proudly proclaim as ours."⁷⁶ Based on the tripartite mandate vested on the Commission by the African Charter, a renowned scholar has not only considered it to be "more rhetoric than effective", but also reduced it to "a research center"; adding that if the mandate of the Commission is functionally rhetoric, then the procedure to be followed by the Commission is worse or in his words, "more contagious."⁷⁷

The question that comes to the fore for consideration is: what are the factors that hamper the effective performance of African Commission? Views of scholars over the performance of the Commission reveal that the factors have been differently classified into "procedural, substantive and administrative";⁷⁸ "structural and normative",⁷⁹ and "organizational and procedural" problems.⁸⁰

a) Lack of Effective Access to the Commission by Individuals

This is a serious problem! Victims of human rights violations in Africa often do not find their ways to the Commission. This is predicated on many reasons. First, the work of the Commission is unknown to majority of Africans, many of whom are illiterates. Even most of the people who are aware of the Commission's existence are not in the financial position to access it. Illiteracy, ignorance and poverty have been pointed out as impediments to the realization and enjoyment of fundamental rights in Africa. An individual who is indigent or ignorant of his rights cannot exhaust domestic remedies; even though it is a mandatory general requirement which a complainant must fulfill before the African Commission could admit his communications. The individual needs the service of a counsel to pursue and prosecute his case before the Commission. African Charter, which is the primary source of African Commission, only provides for the right to counsel.⁸¹ Unlike African Human Rights Court

⁷⁰ These are *Valesquez Rodriguez v. Honduras*, (1988) Series C, No.4 and *X and Y v. Netherlands*, 91 ECHR (1985) at 32, respectively.

⁷¹ *SERAC v. Nigeria*, *supra*, note 57.

⁷² See *Union Inter- Africaine des Driots deL ' Homme v. Zaire*, Comm 100/93

⁷³ Y. Dankofa, 'Towards an Effective Safeguard for the Enforcement of Human Rights in Africa – The Need for an African Court', *Ahmadu Bello Univ. Law Journal*, Vol.21-22, (2004), at 83.

⁷⁴ *Id.* See also N. J. Udombana, *supra* note 67 at 125.

⁷⁵ V. D. M. Anne Pieter, 'The New African Court on Human and Peoples' Rights: Towards an Effective Protection Mechanism for Africa?' Vol. 18, No. 1, *Leiden Journal of Inter'l Law*, March (2005), at 117. See also Anthony A.E., *supra* note 48.

⁷⁶ W. M. Makay, *supra* note 15 at 11.

⁷⁷ E. Kayode, "An Anatomy of the African Charter for the Human and Peoples' Rights: Is it of Hope *vil-non*?" in J. A. Yakubu (ed.), *Administration of Justice in Nigeria* (Ibadan: Malthouse Press 200), at 174.

⁷⁸ A. Saffari, *supra* note 21, at 303.

⁷⁹ N. J. Udombana, *supra* note 67 at 128, 133.

⁸⁰ A. Philip, *supra* note 29 at 233, 235.

⁸¹ African Charter, Art.7(c).

Protocol, the Charter has no provision on *free legal representation*.⁸² This omission is not mind-boggling because even if the drafters of the Charter had included provision on free legal representation, it would have been an exercise in futility as it would have been extremely difficult, if not virtually impossible for the Commission to implement it in view of the financial constraint and lack of resources which the commission has been facing since it was constituted.

Individual access to the Commission is further restricted by the provision of Article 56 of the African Charter, which allows the Commission to hear individual complaint only if such complaint is not "written in disparaging or insulting language" against the State concerned, its institutions or the AU; it is not incompatible with the African Charter and the communication was not disseminated through mass media in the first instance. We concur with the submissions of some scholars that the African Assembly of Heads of State and Government has complete discretionary power in determining the validity of complaints submitted under the Charter,⁸³ and that the requirements are not only too rigid, but also tend to defeat the very basis of African Charter.⁸⁴

The sad effect of the strict rules of procedure of the Commission cannot be underscored. Sometimes communications take two or more than two years, before they are determined. This is so notwithstanding the Commission's Rule of Procedure, which states that it "shall decide as early as possible ...whether or not the communication shall be admissible under the Charter."⁸⁵ One typical case, that buttresses this point, is *SERAC v. Nigeria*,⁸⁶ where the Commission received communications in the case in March 1996, but did not examine them until 27th October 2001 (a period of more than five years). In fact, mere letters from the Commission to the complainants, acknowledging receipt of the communications or complaints took the Commission six months. No doubt, incurable harm might have been done before the communications were finally determined.⁸⁷

Article 58 of the African Charter, *alias*, "emergency" provision, which seems to be an exception to the exhaustion of domestic remedies clause,⁸⁸ turns out to compound the problem of individual access to the Commission. Under this provision, where it appears to the Commission that one or more communications of

special cases reveals the existence of series of serious or massive violations of human and peoples' rights, the Commission must draw the attention of the Assembly of Heads of State and Government to such cases, after which the Assembly may request the Commission to undertake an in-dept study of the special cases, make a factual report, findings and recommendations. If the case is one of emergency, the Commission must submit it to the Chairman of the Assembly "who may request an in-dept study."

The provision of Article 58 has been frustrating African Commission from carrying out investigations on egregious violations of human rights. It is also not clear whether the phrase "drawing the attention of...", used by the provision is synonymous with "reporting to..."⁸⁹ Article 58 also uses the words "special cases", but does not define these words; nor does it state who determines whether a particular violation of human rights is a special case. One may also wonder whether there is really any difference between "special cases, which reveal the existence of a series of serious or massive violations of human rights" and "a case (or cases) of emergency."

Notwithstanding these ambiguities, we accept the observation that Article 58 deals with cases of urgency. It, therefore, restricts and deprives individual access to the Commission in urgent cases. One cannot dispute the submission that the procedure is not only cumbersome, but also subjects the work of African Commission to the approval of the AU General Assembly, comprising of African Heads of State and Government.⁹⁰ This is a serious problem in Africa where commitment to human rights is yet to be ingrained into the psyche of African Governments.⁹¹ Indeed, the procedure is a serious flaw in the Charter's effectiveness as a weapon for human rights because it undermines the independence of Members of African Commission. We agree with the submission that there can be no independence of Members of the Commission, if they cannot be permitted to examine complaints submitted to the Commission.⁹²

Article 58 of the Charter states further that cases of emergency must be submitted by the Commission to the Chairman of the Assembly who may request an in-

⁸² African Charter, Art.10(2).

⁸³ E. Anthony ., *supra* note 48.

⁸⁴ D. Yakubu , 'Rules of Admissibility under the African Charter on Human and Peoples' Right', *Journal of Comparative Law*, Vol.1, No.1 (2007). at 50.

⁸⁵ *Rules of Procedure of the African Commission on Human and Peoples' Rights*, Rule 113.

⁸⁶ *Supra* note 57.

⁸⁷ *Ibid*.

⁸⁸ F. O. Wara, *supra* note 63.

⁸⁹ U. O. Umozurike, *supra* note 47 at 76-77.

⁹⁰ E. Ankumah ., 'The Emergency provision of the African Charter on Human and Peoples' Rights', 4 *Revision of African Commission on Human & Peoples' Rights* (1994), at 49.

⁹¹ K. Quashigah, *supra* note 9. See also M. O. U., Gasiokwu, *supra* 24 at 198 ("publicity is a major weapon against human rights breaches and provisions that have the tendency"); Idubor R., *Principles of Human Rights – Introduction*, Vol.2 (Benin: Newera Pubs., 2000), at 79 ("a particularly effective means of putting pressure on government") U. O., Umozurike., "The Significance of the African Charter on Human and Peoples' Rights," U. K. Awa and Y. Osinbajo (eds.), *Perspectives on Human Rights, Federal Ministry of Justice Law Review Rev. Series*, Vol. 12 at 51.

⁹² E. Anthony , *supra* note 48.

dept study, but it does not state what happens if the Chairman fails to request an in-dept study. The negative effect of such omission occurred in 1991 and 1994, when the Commission received communications alleging serious violations of human rights in Sudan, Rwanda and Burundi, and it communicated them to the Chairman of the OAU in compliance with Article 58(3) of the African Charter. To no avail; there was no any response from the Chairman. This is not surprising most especially that Article 58(3) uses the word "may" as opposed to "shall" thereby giving the Chairman a discretionary power to request (or not to request) an in-dept study.

It has, however, been suggested that to avoid the cumbersome procedure in Article 58 and its embarrassing consequences, African Commission should, in cases of urgency "resort to any appropriate method of investigation" or "any other person capable of enlightening it", as allowed by Article 46 of the Charter.⁹³ This submission is predicated on the observation that Article 46, being a general provision, provides better protection than Article 58; and it is "a provision specifically intended to respond to special and urgent cases" without subjecting the investigative power of the Commission to the approval of the AU General Assembly.⁹⁴

b) Confidentiality of the Commission's Work

Another clause in the African Charter, which inhibits the African Commission's effectiveness with regard to its protective mandate, is the confidentiality clause. The African Charter declares to the effect that all measures taken within the provisions of Chapter Three, regarding procedure of the Commission, remain confidential until such time the Assembly of Heads of State and Government decide otherwise.⁹⁵ The Chairman of the Commission, however, publishes report of the Commission or activities of the Commission on the decision or after consideration by the Assembly.⁹⁶ Article 58 of the Charter, considered in the preceding sub-topic, read together with Article 59, would mean that not only must a report of the Commission's finding be submitted to the General Assembly, but also that any actions undertaken by the Commission concerning alleged human rights violations are to remain confidential unless otherwise decided by the Assembly, which decision (if at all is given) may be to the detriment of the Commission.

Numerous problems have emanated from the confidentiality clause. As pointed out by a scholar, it

renders "an assessment of the role of the African Commission in the development of the jurisprudence of human and peoples' rights ...a 'Herculean task'".⁹⁷ The clause does not state what are authorized and what are not authorized to be published. Consequently, the hands of the Commission are tied, compelling it to adopt strict approach towards the issue of confidentiality. The Commission, for example, has decided not to publish vital information such as the names of States against which complaints on violation of human rights have been leveled.⁹⁸

While the confidentiality clause is incorporated in the African Charter purposely to protect (and indeed it protects) State Parties from being exposed of their egregious violations of human rights, it also exposes "the Commission to charges of ineffectiveness and lack of certainty about the end result of its work".⁹⁹ The consequence of this is that it undermines the confidence, which the general public had on the effectiveness and relevance of the Commission. Little wonder, therefore, that the decisions of African Commission, unlike those of the Inter-American Commission and the defunct European Commission, are not popular because they are confidential. This loophole in the Commission's procedure is compounded by the fact that even if the Commission's reports are ultimately authorized by the General Assembly, "they are not detailed (and) the full reasoning of the Commission is often not reflected".¹⁰⁰

c) Lack of Enforcement Power and Remedial Provisions

In spite of the broad areas of mandate of the African Commission, its power of implementation and investigation is weak. The decisions of the Commission are not binding, but mere recommendations, which the State against which the decisions are given is not bound to obey. After its findings, the Commission can only make recommendations to the African Heads of State who have the final say.¹⁰¹ This procedure is against fair trial; in particular the rule against bias, known as *nemo iudex in causa sua*,¹⁰² which is one of the pillars of natural justice.¹⁰³

It is predicated on this lack of enforcement power of the African Commission that it has been tagged with various embarrassing words and phrases, such as *toothless bulldog*, *looks helpless and*

⁹⁷ C. D. Dakas, *supra* note 3, at 25.

⁹⁸ A. Philip, *supra* note 29, at 237-238.

⁹⁹ *Ibid.*, at 236; See also B. O. Nwabueze, *Constitutional Democracy in Africa*, Vol. 2, (2003), at 84.

¹⁰⁰ C. D. Dakas, *supra* note 3, at 25.

¹⁰¹ African Charter, Art.58 (2).

¹⁰² See D. A. Ijalaye, 'The Relationship between the Rule of Law and the Rule of God', *Ado-Ekiti Law Review*, 1999, at 35; *R v. Chancellor of the Univ. of Cambridge (dr. Bentley's case)*, 1723 1 Stra.557.

¹⁰³ A. Saffari, *supra* note 21, at 302.

⁹³ U. O. Umozurike, *supra* note 47 at 77; E. Ankumah, *supra* note 90 at 49.

⁹⁴ E. Ankumah, *supra*, *id.*

⁹⁵ See *African Charter*, Article 59(1).

⁹⁶ *Ibid.*, Art.59(2)(3); Also under Rule 106 of its procedure, the African Commission may issue a press release on its private activities without the details or pointing accusing fingers.

abandoned,¹⁰⁴ *paper tiger, et cetera*¹⁰⁵ though it has also been argued that some of the criticism have been over-exaggerated. "While most of these statements regarding the specific weakness of the Commission are generally factual," according to C. A. Obiora, "the seriousness of the deficiencies is all too- often over stated."¹⁰⁶ The African Commission itself had confessed in *Malawi African Association v. Mauritania*,¹⁰⁷ that it has no power to enforce its decisions but merely to pronounce on allegation of violations of the human rights protected by African Charter. The Commission's lack of power to make authoritative determination(s) of specific human and peoples' rights abuses is a fundamental flaw, which renders its decisions worthless and ineffective.¹⁰⁸ Thus, decisions of the Commission attract little, if any, compliance from Governments of Member States. A typical case that buttresses this point is *International Pen (on behalf of Ken Saro-Wiwa Jr. & Ors) v. Nigeria*,¹⁰⁹ where in disregard of the Commission's order for stay of execution, the Federal Military Government of Nigeria, under Late General Sani Abacha, went ahead to execute Ken Saro-Wiwa and others. The Act of Nigeria's Government rendered all the Commission's efforts to prevent irreparable damage caused to the complainants worthless. In a situation like this, the Commission is helpless; it cannot do more than expressing its grievances.¹¹⁰

In a similar vein, lack of remedies for violations of the rights enshrined in the Charter is one of the African Commission's substantive and structural impediments. The Commission itself had reminded that due to lack of provisions on compensation for human rights violations in the African Charter, victims find themselves without remedy.¹¹¹ With lack of remedies for violations of the rights under the Charter, individuals may definitely be reluctant to petition the Commission even if they are in financial position to pursue their cases

before the Commission after exhaustion of local remedies. This is because rights and remedies cannot exist in vacuum.

d) *Inadequate Funding and Resources*

Another major problem of the Commission is inadequate funding and resources. These problems, which are bluntly tagged "lack of money," "lack of funds" and lack of "financial means and staff," are endemic.¹¹² Consequently, African Commission is not capable of performing most of its tasks. That the Commission faces problem of funding is not mind-blowing, "given the depressed state of African economies."¹¹³

It will, however, be unrealistic, frankly speaking, to argue that this is the sole reason for this impediment. The financial predicament of the African Commission is also connected with the fact that African States were in the habit of defaulting their financial obligations to the OAU and now to the AU.¹¹⁴

Similarly, the Commission has structural shortage of staff. That over two decades of its existence, the Commission has not built its permanent site; but still operates in a rented apartment in Banjul, the Gambia, is enough cogent evidence establishing its lack of resources,¹¹⁵ or inadequate resources. The problem of inadequate resources is also connected with the sheer size of African continent.

In order to achieve its promotional mandate, the Commission, with only eleven Commissioners, divided Africa into regions with each Commissioner promoting human rights in three to five countries. But in view of the size of African continent and financial predicament, attempts by the Commissioners to cover these countries allocated to them have not been fruitful.¹¹⁶ In a similar vein, a commentator has pointed out that the problems of inadequate funding and resources have affected the Commission's "communications and interaction with NGOs, dissemination of documents, and responses to requests for information of decisions".¹¹⁷

The African Commission, at its various Sessions, had brought to the fore the effect of these problems. For example, in its Interim Report to the Sixty-Seventh Ordinary Session and the OAU Council of Ministers in February 1998, the Commission revealed in *extenso* that it was incapable of carrying out some of its activities despite their importance because of lack of financial, human and material resources it needed to

¹⁰⁴ Y. Dankofa, *supra* note 73.

¹⁰⁵ V. D. M. Anne Pieter, *supra* note 75; Anthony A., *supra* note 48; N.J. Udombana, 'Towards the African Court on Human and Peoples' Rights: Better Late than Never' Chapter Three in *Human Rights and Contemporary Issues in Africa*, at 125, at 125.

¹⁰⁶ C. A. Obiora, *supra* note 35.

¹⁰⁷ Comm. Nos.54/91, 98/93, 164/97,210/981 1999-2000.

¹⁰⁸ Odinkalu C. A., 'The Individual Complaints Procedure of the African Commission on Human and Peoples' Rights: A Preliminary Assessment,' 8 *Transnat'l Contempt. Probs.* 359, 1998 at 365, *quoted in Steiner & Alston*, *supra* note 56, at 929, where he asked: "one question... is whether the decisions of the Commission are effective... Any temptation to dismiss the Commission as a worthless institution today must be regarded as premature, ill-informed or both".

¹⁰⁹ *Supra* note 36.

¹¹⁰ Saro-Wiwa's case *id.*, para 114-115. In Saro-Wiwa's case, the Commission lamented: "This blot on the legal system of Nigeria... will not be easy to erase. To have carried out the execution in the face of pleas to the contrary by the Commission and world opinion is something, which we pray will never happen again. That it is a violation of the Charter is an understatement".

¹¹¹ Eleventh Annual Activity Report (1997-1998), PAU DOC./OS/43 (XXIII).

¹¹² C. A. Odinkalu, *supra* note 108.

¹¹³ M. O. U., Gasiokwu, *supra* note 24, at 190.

¹¹⁴ The Council of Ministers of the OAU (now Executive Council of AU) had expressed its "serious concern about the increasing areas of contributions, thus undermining the capacity of the secretariat to carry out approved programmes and activities". See N. J. Udombana N.J., *supra*, note 131 at 862.

¹¹⁵ *Ibid.*

¹¹⁶ A. Phiip., *supra* note 29 at 233.

¹¹⁷ *Ibid.*

ensure smooth running.¹¹⁸ The report of the Commission further revealed that there was no provision for human rights protection and promotion activities, which constitute the *cornerstone* of the Commission's mandate in the budgetary appropriation for the Commission.¹¹⁹

In an effort to overcome this obstacle, the Commission decided at the Session to operate a separate account into which voluntary donations might be paid, for the purpose of achieving its promotional mandate. The Commission has also resorted to seeking helps in acquiring facilities it needs for effective performance.¹²⁰ The report of the Commission has also shown that it has received donations and financial supports from institutions such as European Union (EU), Wallenberg Institute of Human and Humanitarian Law, the UNCHR and others.¹²¹ It is our submission that this method cannot sustain a dual human rights enforcement mechanism in Africa.

e) Lack of Compliance with Periodic Reporting Obligation by State Parties

One of the obligations, which a state may undertake to the international community, is the reporting obligation. Under international human rights law, reporting is a device used in ensuring a government's accountability of human rights to its own people on one side and to the international community on the other side.¹²²

Various reporting mechanisms exist under the UN human rights instruments ranging from the CERD, ICCPR, ICESCR, CEDAW, CAT and CRC. Reporting under each of these instruments is done to a Committee the instrument has established; and in all cases, the State Parties are required to submit reports on measures they have taken to implement the particular Convention to the Secretary-General of the UN, who in turn makes them available to the particular Committee. The Committee examines the reports and makes suggestions and general recommendations, which are taken to the General Assembly.¹²³

At the regional level, Article 57 of the Revised European Convention provides to the effect that the Secretary-General of the Council of Europe has the right to request from any High Contracting Party any explanation of the manner in which its internal law issues the effective implementation of any of the provisions of the European Convention.¹²⁴ Under this system, the

Secretary-General has the responsibility of making such request and there is a corresponding obligation on the State Party to furnish the report.

State Parties to the Inter- American Convention under take to furnish the Inter- American Commission with such information, which the Commission might request from them with regard to the manner their domestic law ensures the effective application of any provisions of the Convention. Also, under this system, once the request is made by the Commission, the State Party must furnish it.¹²⁵

On the contrary, Article 62 of the African Charter, which is the reporting obligation provision, merely states:

Each State Party shall undertake to submit in every two years, from the date the present Charter comes into force, a report on legislative or other measures taken with a view to giving effect to the rights and freedoms recognized and guaranteed by the present Charter.

Although, it has been stated that reporting procedure is the backbone of the mission of the African Commission,¹²⁶ irregular submissions of reports or outright non-submission, is a problem that African Commission has always complain about.¹²⁷ That quite a number of State Parties do not submit their periodic reports as required by the African Charter makes it difficult for the Commission to make assessment of human rights situations in those States.¹²⁸

Even though the African Commission was constituted in 1987, the first State Report was submitted to it by Libya in January 1990 and two years later only additional eight State Parties submitted their initial reports.¹²⁹ In acknowledging this problem, the General-Assembly of the OAU at its 29th Ordinary Session in Cairo from 28-30, 1992, adopted the resolution of the Commission on "Over Due Reports," which, *inter alia*, urged State Parties to the African Charter, which had not yet submitted their reports to submit them without delay and requested that States should report not only on the legislative or other measures taken to give effect to each of the rights and freedoms recognized and guaranteed by the African Charter but also on the problems encountered in giving effect to these rights and freedoms. But this effort rested on futility. State reporting under the African Charter system has not been revamped. Thirteen years after the coming into existence of the Commission, 24 States out of 53 States

¹¹⁸ See Eleventh Annual Activity Report (1997-1998), PAU Doc. DOC/OS/43 (XXIII).

¹¹⁹ *Ibid.*

¹²⁰ See Third Annual Activity Report (1988-90), African Commission on Human and Peoples' Rights, Annual Activity Report 114 (1998).

¹²¹ N. J. Udombana., *supra* note 57, at 133.

¹²² K. Quashigah., *supra* note 9.

¹²³ See CERD, Arts. 8-10; ICCPR, Arts. 28-33; ICESCR, Arts.16-20; CEDAW, Arts.17-22; CAT, Arts. 17-22; CRC, Arts.43-45.

¹²⁴ European Convention, Art.57.

¹²⁵ Inter- American Convention, Art.43.

¹²⁶ B. El-Sheikh, 'The African Commission on Human and Peoples' Rights', 7 *Netherlands Quarterly of Human Rights*, Vol.31, 1989 at 283.

¹²⁷ T. B. Nyanduga, 'The Role of the African Commission on Human and Peoples' Rights in Addressing Internal Displacement', (unpublished), *First Regional Conference on Internal Displacement in West Africa* (2006), Abuja-Nigeria, at 7.

¹²⁸ *Id.*

¹²⁹ Annual Activity Report (1998) Vol.1, AFCHPR, at 107.

did not submit their reports and only 12 States had no over-due reports. The Commission cannot compel Member States defaulting to comply with obligations because it does not have judicial power to do so.¹³⁰

The problem of non-compliance with State reporting by State Parties is compounded by the fact that even if the reports are submitted, they are normally inadequate due to their brevity.¹³¹ Worse still, even with the brief reports submitted, the Commission hardly have enough time to examine them thoroughly because it sits only twice a year and its agenda in each Session covers protective, promotional and administrative matters, which must be covered within 10 days. Sometimes the Commission is frustrated by the absence of representatives of States, which furnished reports for examination. For example, during its 18th Session, the Commission scheduled to examine the reports of four States – Tunisia, Mozambique, Mauritius and Seychelles, but only Tunisia sent representatives. On the same vein, at the 20th Ordinary Session of the Commission in Cotonou, Benin from 23rd October to 6th November 2000, the Commission did not examine the reports submitted by Namibia and Ghana because representatives of these countries did not turn up. At the 21st Ordinary Session of the Commission, the State reports of Sudan and Zimbabwe were available only in English version. Consequently, the non-English Commissioners were automatically eliminated from the examination process.¹³² This buttresses the lack of political will and commitment of African leaders to the cause of human rights. "If States' adherence to the mandatory reporting is anything to go by," it is noted, "then a lot has to be done to encourage State Parties to undertake this important obligation."¹³³

IV. OBSERVATIONS

Our efforts in this article centered on the operation and performance of African Commission on Human and Peoples' Rights in 2007, when it was constituted. Having considered the various functions, failures and achievements of the Commission, we observed that some criticisms leveled against it are over-exaggerated. We noted with facts that the Commission has recorded some achievements in both its promotional, protective and interpretational functions. We further pointed out that the problem of non-compliance with the decisions of the Commission has been predicated on the reason that the Commission has no legal standing to issue authoritative and binding decisions; and this has seriously undermined the Commission as an effective and meaningful human rights enforcement mechanism in Africa.

In identifying both the substantive and procedural problems of the African Commission in this article, we observed that while such problems as confidentiality of the Commission's work, lack of enforcement power and remedial provisions can be tackled by amendment of the African Charter; others such as obligations of State Parties, including financial and State reporting obligations cannot be cured by amendment of the Charter only because they require political will on the part of State Parties.

It is also our observation that since its inception, African Commission has resorted to seeking donations from various institutions in acquiring facilities it needs for effective performance; and this is because most African States do not comply with their financial obligation. We declared that with the establishment of African Human Rights Court, in addition to the African Commission, this method cannot sustain a dual human rights enforcement mechanism in Africa.

V. RECOMMENDATIONS

There is need to review and amend of the African Charter. Some deficiencies of African Commission such as confidentiality of the Commission's work, lack of enforcement powers and remedial provisions, claw-back clauses and absence of derogation clauses, can only be effectively overcome if there is a substantial amendment of the African Charter. This is very important because the Charter is the primary source of African Commission and African Human Rights Court/ the Human Rights Section of the African Court of Justice and Human Rights. This step would have been taken before the establishment of African Human Rights Court. But it is never too late; there is need for immediate reformulation of the Charter; better sooner than later.

Although, the interpretation of socio-economic and peoples' rights enshrined in the African Charter is an onerous task, the African Commission should take bold step in the interpretation of these rights taking examples from its decisions in the cases of *SERAC v. Nigeria*.¹³⁴ To achieve this, the Commission should engage in a vibrant, holistic and creative interpretation of the African Charter; and fill gaps where necessary and reconcile what scholars thought are irreconcilable under the African Charter for the interest of justice.

It is also importantly recommended that Members of the AU should endeavour to provide essential and adequate resources to the African Commission to enable it carry out more effective functions. The current practice under which the Commission relies on donations from other international organizations should be discouraged.

¹³⁰ K. Quashigah, *supra* note 9.

¹³¹ A. Saffari, *supra* note 21, at 301.

¹³² K. Quashigah, *supra* note 9.

¹³³ A. Philip, *supra* note 29 at 237.

¹³⁴ *Supra* note 57.

To overcome the problem of ignorance of the activities of African Commission and the existence of African Human Rights Court, it is strongly recommended that African Commission should carry out elaborate public awareness campaign of its mandate. The contentious jurisdiction of African Human Rights Court and the nature of the Court as a mechanism with binding enforcement powers should be brought to the knowledge of the public through the mediums of television, radio, newspapers, magazines and public lectures. The Commission should not concentrate its public awareness campaign in urban areas alone but also in rural areas.

Similarly, there is need for sustained continuing legal education through seminars, conferences, symposia, *et cetera* on international human rights in general and African human rights system in particular. To achieve human rights awareness campaign, there is also need for African Commission to work in collaboration with the various human rights Commissions or Committees established by various African States. The contribution of bodies charged with continuing legal education in domestic forum should not be ignored. In Nigeria, for example, the National Judicial Institute in charge of continuing legal education for judges should be effectively utilized.

To avoid conflict of interpretational jurisdiction of the African Commission and African Human Rights Court, it is recommended that the African Commission should concentrate on its promotional mandate, leaving the interpretational functions to African Human Rights Court or the merged Court. In the long run, African human rights system should concentrate on African Human Rights Court as the only human rights enforcement mechanism and abolish the African Commission, following the present European system, where a single human rights enforcement mechanism helps in speedy trials and avoids delay in the administration of justice.

In the African human rights system, the abolition of the Commission will not only aid in quick dispensation of justice but also, to some extent, help in relieving the system of its financial predicament which it has plunged into since it was constituted in 1987. But this step can only be possible if individuals and NGOs are given direct access to the African Human Rights Court and later the African Court of Justice and Human Rights. So, the immediate measure is to make the Commission more effective by tackling its present predicaments. This is very significant because if the Commission is left to stand on ramshackle foundation, the African Human Rights Court can never realize its potential and purpose. The African Human Rights Court and African Commission should, therefore, not see themselves as rivals but partners in progress in the African human rights movement.

State Parties to the African Charter should also be upright in nominating Commissioners to the African Commission. This should be based purely on merit devoid of political, religious or tribal sentiments. Although, knowledge of international law is not a requirement for appointment of a judge and a Commissioner of the Court and the Commission respectively, we suggest that this should be a condition *sine qua non* for both nomination and appointment of Commissioners.

VI. CONCLUSION

In the light of the plethora of problems that besieged the African Commission, it is obvious that African human rights system was built on a shaky foundation; and unless it is anchored on strong and solid foundation, the efforts made so far to revamp African human rights system would be an exercise in futility. "A jurisdiction that is built on sand," a scholar said, "is obviously not anchored on a concrete foundation..."¹³⁵ On the whole, there is a lot to be done to make the African Human Rights Commission more effective. With the establishment of African Human Rights Judicial bodies it is hoped that if these recommendations are followed, the African Commission, as a human rights institution Africa, will give meaning and positive effect to the African Charter and other international, regional and sub-regional human rights instruments ratified by African States.

¹³⁵ D. C. J. Dakas, 'Activism, Ignorance or Playing to the Gallery? Untying the knots of the Jurisprudence of Nigerian Courts on the Domestic Application of International Human Rights Norms', Gabriel I.I. (ed.), *New Vistas in Law*, Vol. 1, at 447-448.

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3. Think Like Evaluators: If you are in a confusion or getting demotivated that your paper will be accepted by evaluators or not, then think and try to evaluate your paper like an Evaluator. Try to understand that what an evaluator wants in your research paper and automatically you will have your answer.

4. Make blueprints of paper: The outline is the plan or framework that will help you to arrange your thoughts. It will make your paper logical. But remember that all points of your outline must be related to the topic you have chosen.

5. Ask your Guides: If you are having any difficulty in your research, then do not hesitate to share your difficulty to your guide (if you have any). They will surely help you out and resolve your doubts. If you can't clarify what exactly you require for your work then ask the supervisor to help you with the alternative. He might also provide you the list of essential readings.

6. Use of computer is recommended: As you are doing research in the field of Computer Science, then this point is quite obvious.

7. Use right software: Always use good quality software packages. If you are not capable to judge good software then you can lose quality of your paper unknowingly. There are various software programs available to help you, which you can get through Internet.

8. Use the Internet for help: An excellent start for your paper can be by using the Google. It is an excellent search engine, where you can have your doubts resolved. You may also read some answers for the frequent question how to write my research paper or find model research paper. From the internet library you can download books. If you have all required books make important reading selecting and analyzing the specified information. Then put together research paper sketch out.

9. Use and get big pictures: Always use encyclopedias, Wikipedia to get pictures so that you can go into the depth.

10. Bookmarks are useful: When you read any book or magazine, you generally use bookmarks, right! It is a good habit, which helps to not to lose your continuity. You should always use bookmarks while searching on Internet also, which will make your search easier.

11. Revise what you wrote: When you write anything, always read it, summarize it and then finalize it.

12. Make all efforts: Make all efforts to mention what you are going to write in your paper. That means always have a good start. Try to mention everything in introduction, that what is the need of a particular research paper. Polish your work by good skill of writing and always give an evaluator, what he wants.

13. Have backups: When you are going to do any important thing like making research paper, you should always have backup copies of it either in your computer or in paper. This will help you to not to lose any of your important.

14. Produce good diagrams of your own: Always try to include good charts or diagrams in your paper to improve quality. Using several and unnecessary diagrams will degrade the quality of your paper by creating "hotchpotch." So always, try to make and include those diagrams, which are made by your own to improve readability and understandability of your paper.

15. Use of direct quotes: When you do research relevant to literature, history or current affairs then use of quotes become essential but if study is relevant to science then use of quotes is not preferable.



16. Use proper verb tense: Use proper verb tenses in your paper. Use past tense, to present those events that happened. Use present tense to indicate events that are going on. Use future tense to indicate future happening events. Use of improper and wrong tenses will confuse the evaluator. Avoid the sentences that are incomplete.

17. Never use online paper: If you are getting any paper on Internet, then never use it as your research paper because it might be possible that evaluator has already seen it or maybe it is outdated version.

18. Pick a good study spot: To do your research studies always try to pick a spot, which is quiet. Every spot is not for studies. Spot that suits you choose it and proceed further.

19. Know what you know: Always try to know, what you know by making objectives. Else, you will be confused and cannot achieve your target.

20. Use good quality grammar: Always use a good quality grammar and use words that will throw positive impact on evaluator. Use of good quality grammar does not mean to use tough words, that for each word the evaluator has to go through dictionary. Do not start sentence with a conjunction. Do not fragment sentences. Eliminate one-word sentences. Ignore passive voice. Do not ever use a big word when a diminutive one would suffice. Verbs have to be in agreement with their subjects. Prepositions are not expressions to finish sentences with. It is incorrect to ever divide an infinitive. Avoid clichés like the disease. Also, always shun irritating alliteration. Use language that is simple and straight forward. put together a neat summary.

21. Arrangement of information: Each section of the main body should start with an opening sentence and there should be a changeover at the end of the section. Give only valid and powerful arguments to your topic. You may also maintain your arguments with records.

22. Never start in last minute: Always start at right time and give enough time to research work. Leaving everything to the last minute will degrade your paper and spoil your work.

23. Multitasking in research is not good: Doing several things at the same time proves bad habit in case of research activity. Research is an area, where everything has a particular time slot. Divide your research work in parts and do particular part in particular time slot.

24. Never copy others' work: Never copy others' work and give it your name because if evaluator has seen it anywhere you will be in trouble.

25. Take proper rest and food: No matter how many hours you spend for your research activity, if you are not taking care of your health then all your efforts will be in vain. For a quality research, study is must, and this can be done by taking proper rest and food.

26. Go for seminars: Attend seminars if the topic is relevant to your research area. Utilize all your resources.

27. Refresh your mind after intervals: Try to give rest to your mind by listening to soft music or by sleeping in intervals. This will also improve your memory.

28. Make colleagues: Always try to make colleagues. No matter how sharper or intelligent you are, if you make colleagues you can have several ideas, which will be helpful for your research.

29. Think technically: Always think technically. If anything happens, then search its reasons, its benefits, and demerits.

30. Think and then print: When you will go to print your paper, notice that tables are not be split, headings are not detached from their descriptions, and page sequence is maintained.

31. Adding unnecessary information: Do not add unnecessary information, like, I have used MS Excel to draw graph. Do not add irrelevant and inappropriate material. These all will create superfluous. Foreign terminology and phrases are not apropos. One should NEVER take a broad view. Analogy in script is like feathers on a snake. Not at all use a large word when a very small one would be



sufficient. Use words properly, regardless of how others use them. Remove quotations. Puns are for kids, not grunt readers. Amplification is a billion times of inferior quality than sarcasm.

32. Never oversimplify everything: To add material in your research paper, never go for oversimplification. This will definitely irritate the evaluator. Be more or less specific. Also too, by no means, ever use rhythmic redundancies. Contractions aren't essential and shouldn't be there used. Comparisons are as terrible as clichés. Give up ampersands and abbreviations, and so on. Remove commas, that are, not necessary. Parenthetical words however should be together with this in commas. Understatement is all the time the complete best way to put onward earth-shaking thoughts. Give a detailed literary review.

33. Report concluded results: Use concluded results. From raw data, filter the results and then conclude your studies based on measurements and observations taken. Significant figures and appropriate number of decimal places should be used. Parenthetical remarks are prohibitive. Proofread carefully at final stage. In the end give outline to your arguments. Spot out perspectives of further study of this subject. Justify your conclusion by at the bottom of them with sufficient justifications and examples.

34. After conclusion: Once you have concluded your research, the next most important step is to present your findings. Presentation is extremely important as it is the definite medium through which your research is going to be in print to the rest of the crowd. Care should be taken to categorize your thoughts well and present them in a logical and neat manner. A good quality research paper format is essential because it serves to highlight your research paper and bring to light all necessary aspects in your research.

INFORMAL GUIDELINES OF RESEARCH PAPER WRITING

Key points to remember:

- Submit all work in its final form.
- Write your paper in the form, which is presented in the guidelines using the template.
- Please note the criterion for grading the final paper by peer-reviewers.

Final Points:

A purpose of organizing a research paper is to let people to interpret your effort selectively. The journal requires the following sections, submitted in the order listed, each section to start on a new page.

The introduction will be compiled from reference matter and will reflect the design processes or outline of basis that direct you to make study. As you will carry out the process of study, the method and process section will be constructed as like that. The result segment will show related statistics in nearly sequential order and will direct the reviewers next to the similar intellectual paths throughout the data that you took to carry out your study. The discussion section will provide understanding of the data and projections as to the implication of the results. The use of good quality references all through the paper will give the effort trustworthiness by representing an alertness of prior workings.

Writing a research paper is not an easy job no matter how trouble-free the actual research or concept. Practice, excellent preparation, and controlled record keeping are the only means to make straightforward the progression.

General style:

Specific editorial column necessities for compliance of a manuscript will always take over from directions in these general guidelines.

To make a paper clear

· Adhere to recommended page limits

Mistakes to evade

- Insertion a title at the foot of a page with the subsequent text on the next page

- Separating a table/chart or figure - impound each figure/table to a single page
- Submitting a manuscript with pages out of sequence

In every sections of your document

- Use standard writing style including articles ("a", "the," etc.)
- Keep on paying attention on the research topic of the paper
- Use paragraphs to split each significant point (excluding for the abstract)
- Align the primary line of each section
- Present your points in sound order
- Use present tense to report well accepted
- Use past tense to describe specific results
- Shun familiar wording, don't address the reviewer directly, and don't use slang, slang language, or superlatives
- Shun use of extra pictures - include only those figures essential to presenting results

Title Page:

Choose a revealing title. It should be short. It should not have non-standard acronyms or abbreviations. It should not exceed two printed lines. It should include the name(s) and address (es) of all authors.

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The summary should be two hundred words or less. It should briefly and clearly explain the key findings reported in the manuscript-- must have precise statistics. It should not have abnormal acronyms or abbreviations. It should be logical in itself. Shun citing references at this point.

An abstract is a brief distinct paragraph summary of finished work or work in development. In a minute or less a reviewer can be taught the foundation behind the study, common approach to the problem, relevant results, and significant conclusions or new questions.

Write your summary when your paper is completed because how can you write the summary of anything which is not yet written? Wealth of terminology is very essential in abstract. Yet, use comprehensive sentences and do not let go readability for briefness. You can maintain it succinct by phrasing sentences so that they provide more than lone rationale. The author can at this moment go straight to



shortening the outcome. Sum up the study, with the subsequent elements in any summary. Try to maintain the initial two items to no more than one ruling each.

- Reason of the study - theory, overall issue, purpose
- Fundamental goal
- To the point depiction of the research
- Consequences, including definite statistics - if the consequences are quantitative in nature, account quantitative data; results of any numerical analysis should be reported
- Significant conclusions or questions that track from the research(es)

Approach:

- Single section, and succinct
- As a outline of job done, it is always written in past tense
- A conceptual should situate on its own, and not submit to any other part of the paper such as a form or table
- Center on shortening results - bound background information to a verdict or two, if completely necessary
- What you account in an conceptual must be regular with what you reported in the manuscript
- Exact spelling, clearness of sentences and phrases, and appropriate reporting of quantities (proper units, important statistics) are just as significant in an abstract as they are anywhere else

Introduction:

The **Introduction** should "introduce" the manuscript. The reviewer should be presented with sufficient background information to be capable to comprehend and calculate the purpose of your study without having to submit to other works. The basis for the study should be offered. Give most important references but shun difficult to make a comprehensive appraisal of the topic. In the introduction, describe the problem visibly. If the problem is not acknowledged in a logical, reasonable way, the reviewer will have no attention in your result. Speak in common terms about techniques used to explain the problem, if needed, but do not present any particulars about the protocols here. Following approach can create a valuable beginning:

- Explain the value (significance) of the study
- Shield the model - why did you employ this particular system or method? What is its compensation? You strength remark on its appropriateness from a abstract point of vision as well as point out sensible reasons for using it.
- Present a justification. Status your particular theory (es) or aim(s), and describe the logic that led you to choose them.
- Very for a short time explain the tentative propose and how it skilled the declared objectives.

Approach:

- Use past tense except for when referring to recognized facts. After all, the manuscript will be submitted after the entire job is done.
- Sort out your thoughts; manufacture one key point with every section. If you make the four points listed above, you will need a least of four paragraphs.
- Present surroundings information only as desirable in order hold up a situation. The reviewer does not desire to read the whole thing you know about a topic.
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This part is supposed to be the easiest to carve if you have good skills. A sound written Procedures segment allows a capable scientist to replacement your results. Present precise information about your supplies. The suppliers and clarity of reagents can be helpful bits of information. Present methods in sequential order but linked methodologies can be grouped as a segment. Be concise when relating the protocols. Attempt for the least amount of information that would permit another capable scientist to spare your outcome but be cautious that vital information is integrated. The use of subheadings is suggested and ought to be synchronized with the results section. When a technique is used that has been well described in another object, mention the specific item describing a way but draw the basic



principle while stating the situation. The purpose is to text all particular resources and broad procedures, so that another person may use some or all of the methods in one more study or referee the scientific value of your work. It is not to be a step by step report of the whole thing you did, nor is a methods section a set of orders.

Materials:

- Explain materials individually only if the study is so complex that it saves liberty this way.
- Embrace particular materials, and any tools or provisions that are not frequently found in laboratories.
- Do not take in frequently found.
- If use of a definite type of tools.
- Materials may be reported in a part section or else they may be recognized along with your measures.

Methods:

- Report the method (not particulars of each process that engaged the same methodology)
- Describe the method entirely
- To be succinct, present methods under headings dedicated to specific dealings or groups of measures
- Simplify - details how procedures were completed not how they were exclusively performed on a particular day.
- If well known procedures were used, account the procedure by name, possibly with reference, and that's all.

Approach:

- It is embarrassed or not possible to use vigorous voice when documenting methods with no using first person, which would focus the reviewer's interest on the researcher rather than the job. As a result when script up the methods most authors use third person passive voice.
- Use standard style in this and in every other part of the paper - avoid familiar lists, and use full sentences.

What to keep away from

- Resources and methods are not a set of information.
- Skip all descriptive information and surroundings - save it for the argument.
- Leave out information that is immaterial to a third party.

Results:

The principle of a results segment is to present and demonstrate your conclusion. Create this part a entirely objective details of the outcome, and save all understanding for the discussion.

The page length of this segment is set by the sum and types of data to be reported. Carry on to be to the point, by means of statistics and tables, if suitable, to present consequences most efficiently. You must obviously differentiate material that would usually be incorporated in a study editorial from any unprocessed data or additional appendix matter that would not be available. In fact, such matter should not be submitted at all except requested by the instructor.

Content

- Sum up your conclusion in text and demonstrate them, if suitable, with figures and tables.
- In manuscript, explain each of your consequences, point the reader to remarks that are most appropriate.
- Present a background, such as by describing the question that was addressed by creation an exacting study.
- Explain results of control experiments and comprise remarks that are not accessible in a prescribed figure or table, if appropriate.
- Examine your data, then prepare the analyzed (transformed) data in the form of a figure (graph), table, or in manuscript form.

What to stay away from

- Do not discuss or infer your outcome, report surroundings information, or try to explain anything.
- Not at all, take in raw data or intermediate calculations in a research manuscript.



- Do not present the similar data more than once.
- Manuscript should complement any figures or tables, not duplicate the identical information.
- Never confuse figures with tables - there is a difference.

Approach

- As forever, use past tense when you submit to your results, and put the whole thing in a reasonable order.
- Put figures and tables, appropriately numbered, in order at the end of the report
- If you desire, you may place your figures and tables properly within the text of your results part.

Figures and tables

- If you put figures and tables at the end of the details, make certain that they are visibly distinguished from any attach appendix materials, such as raw facts
- Despite of position, each figure must be numbered one after the other and complete with subtitle
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The Discussion is expected the trickiest segment to write and describe. A lot of papers submitted for journal are discarded based on problems with the Discussion. There is no head of state for how long a argument should be. Position your understanding of the outcome visibly to lead the reviewer through your conclusions, and then finish the paper with a summing up of the implication of the study. The purpose here is to offer an understanding of your results and hold up for all of your conclusions, using facts from your research and generally accepted information, if suitable. The implication of result should be visibly described. Infer your data in the conversation in suitable depth. This means that when you clarify an observable fact you must explain mechanisms that may account for the observation. If your results vary from your prospect, make clear why that may have happened. If your results agree, then explain the theory that the proof supported. It is never suitable to just state that the data approved with prospect, and let it drop at that.

- Make a decision if each premise is supported, discarded, or if you cannot make a conclusion with assurance. Do not just dismiss a study or part of a study as "uncertain."
- Research papers are not acknowledged if the work is imperfect. Draw what conclusions you can based upon the results that you have, and take care of the study as a finished work
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- Give details all of your remarks as much as possible, focus on mechanisms.
- Make a decision if the tentative design sufficiently addressed the theory, and whether or not it was correctly restricted.
- Try to present substitute explanations if sensible alternatives be present.
- One research will not counter an overall question, so maintain the large picture in mind, where do you go next? The best studies unlock new avenues of study. What questions remain?
- Recommendations for detailed papers will offer supplementary suggestions.

Approach:

- When you refer to information, differentiate data generated by your own studies from available information
- Submit to work done by specific persons (including you) in past tense.
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Introduction	Containing all background details with clear goal and appropriate details, flow specification, no grammar and spelling mistake, well organized sentence and paragraph, reference cited	Unclear and confusing data, appropriate format, grammar and spelling errors with unorganized matter	Out of place depth and content, hazy format
Methods and Procedures	Clear and to the point with well arranged paragraph, precision and accuracy of facts and figures, well organized subheads	Difficult to comprehend with embarrassed text, too much explanation but completed	Incorrect and unorganized structure with hazy meaning
Result	Well organized, Clear and specific, Correct units with precision, correct data, well structuring of paragraph, no grammar and spelling mistake	Complete and embarrassed text, difficult to comprehend	Irregular format with wrong facts and figures
Discussion	Well organized, meaningful specification, sound conclusion, logical and concise explanation, highly structured paragraph reference cited	Wordy, unclear conclusion, spurious	Conclusion is not cited, unorganized, difficult to comprehend
References	Complete and correct format, well organized	Beside the point, Incomplete	Wrong format and structuring



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