

A Review of Socio-Cultural Factors Militating Against Human Rights in Nigeria

Ikpeme, Nya John
Centre for General Studies,
Cross River State University of Technology

ABSTRACT : *Events in recent times have revealed that human Rights mean different things to different cultures. What constitutes a right to be defended in some cultures may not be a right in another culture. This fact is made more glaring in contemporary times with issues like gay and lesbian rights causing a fight for socio-political superiority between countries. Although Constitutions of African countries now recognize the need for legal protection of human rights, it is imperative to note that getting a global standard of human rights principles to be accepted and practiced by all cultures and religion is a difficult task. Challenging social issues like Female Genital Mutilation, Child labor, and isolation of women from leadership and political activities are examples of varied cultural views on human rights. Different Governments have taken laudable steps towards the development of human rights principles but such steps which are very often carved out from operating Human Rights systems of Western cultures are always confronted with certain inherent cultural traditions of different communities. These are factors that powerfully represent the social fabric of a society. This paper is therefore a review of those socio-cultural factors in Nigeria and some recommendations are also made.*

KEYWORDS; *Human Rights, Review, Socio-Cultural*

I. INTRODUCTION

Gawanas (2011)¹ in his paper noted in strong terms that the AU, in contrast to the OAU, made human rights an explicit part of its mandate, as embodied in its Constitutive Act and mainstreamed in all its activities and programs. This is a step in the right direction but it is also clear that current methodologies used require strengthening with a view to developing a holistic, comprehensive and integrated approach to ensure that human rights of all individuals are adequately protected and respected. Although a lot of improvements on the protection of human rights have been made in Nigeria in recent times under the Nigerian Constitution there are quite a lot of areas demanding review.

Human rights Report of (2012)² highlighted areas where significant improvement is needed. These include;

- ⇒ Abuses by Boko Haram
- ⇒ Killings by Governmental forces
- ⇒ Lack of Social Equality
- ⇒ Issues with freedom of speech

The above list is not exhaustive but it is a useful indicator of various human rights violation in Nigeria. A study by Okome (2011)³ on the domestic and regional protection of women against discrimination revealed that different forms of discrimination still exist against women in Nigeria. Women in many communities still suffer under the traditional widowhood rites and female genital mutilation (FGM). Nigerian human right culture therefore needs more than a constitutional Provision. This is because;

- ✓ More children are seen on the Streets laboring under one workload or the other
- ✓ Many more women are yet to be in Public Offices without intimidation
- ✓ Police brutality is still a common occurrence, see Human Rights Report (2013)⁴
- ✓ Fair justice is hardly ever received from legal institutions.

What then are the issues militating against adequate promotion of a fair human right culture in spite of the constitutional provision? This paper therefore is an attempt to identify and discuss the socio-cultural factors that tend to militate against noted global standards on human rights. It is believed that this discourse will provide useful information that will be helpful tools for addressing problem areas of human right issues in Nigeria.

II. THE CONCEIPT OF HUMAN RIGHTS

According to Wikipedia (2014)⁵ Human rights are moral principles that set out certain standards of human behavior and are regularly protected as legal rights in national and international law. They are "commonly understood as inalienable fundamental rights to which a person is entitled to simply because he or

she is a human being. Inalienable rights of man are therefore generally regarded as Human Rights Enebe (2008)⁶. They are the rights and privilege every human or citizens of a country enjoys. They are also the fundamental characteristics of any true democratic setting because the essence of democracy, itself, is based on the idea of human right David (2014)⁷. Fundamental human rights can be seen as the basic natural rights to life, housing and shelter. Certain classification has been made in recent time defining different rights. These include; economic right, political right, social right and educational right.

Tracing the origin of Human Rights, Wikipedia (2014)⁵ noted that many of the basic ideas that initiated human rights movement developed in the aftermath of the Second World War and the atrocities of the Holocaust, culminating in the adoption of the *Universal Declaration of Human Rights* in Paris by the United Nations General Assembly in 1948. The ancient world did not possess the concept of universal human rights. The true forerunner of human rights discourse was the concept of natural rights which appeared as part of the medieval Natural law tradition that became prominent during the Enlightenment with such philosophers as John Locke, Francis Hutcheson, and Jean-Jacques Burlamaqui, and featured prominently in the political discourse of the American Revolution and the French Revolution.

Augie (2004)⁸ in her article explained that the concept of human right is as old as human society and was evolved, to a large extent as an instrument of revolt against tyrannical Government. She noted that since the adoption of the Universal Declaration of Human Rights in 1948, there has been a continuing concern for the protection of certain basic rights, which a man is entitled to enjoy by the mere fact that he is a human being.

III. WHAT ARE THESE HUMAN RIGHTS?

Enebe (2008)⁶, Nwaofor (2010)⁹ in their publication, explained the different generations of rights. The first generation of human right contains the civil and political rights. The second generation of human rights contains the Economic, social, and cultural rights. The third generation of human rights, which tends to turn the world to a global community, contains the right to self determination, the right to development, the right to share in the common heritage of mankind, the right to international peace and security, and the right to clean and healthy environment. Human Right therefore refers to the relationship between the individual and the state or its government; their rights to political participation, the freedoms that the individual should enjoy and their claims on the State with regard to the provisions of basic needs of life, education, health, among others. States Government therefore has a primary responsibility to protect, recognize, observe and expand the frontiers of the fundamental rights of citizens and other human beings within their territory and jurisdiction. If any State or Government fails to discharge this responsibility, it may be liable to forfeit its legitimacy and the right to command the obedience and loyalty of the citizens. To strengthen this fact Augie (2004)⁸ in her book cited the following abridged statement by General Olusegun Obasanjo.

'the increasing demands for a new approach to governance is triggered first by denial of fundamental human rights, the presence of arbitrariness and the absence of basic freedoms for the individual have in the main remained familiar traits of a majority of governments in Africa. Africans are therefore now clamouring for greater responsiveness on the part of their political leadership, respect for human rights, accountability and a two way flow of information between the people and their leadership.'

Almost in the same vein, Gawana (2011)¹ noted that the adoption of human rights approach to development, including the effective implementation of the right to development and to social, economic and cultural rights would promote people's active participation, thereby giving them a voice and a platform from which to assert their rights. This is achieved through effective democratic processes and the full exercise of political and civil rights. It is therefore obvious that for a balanced human rights system to be achieved, all sectors of the polity namely, social, economic, political and religious must recognize and harness the potency/values of other sectors.

IV. THE PROBLEM

It is however sad that adequate protection of human rights in Nigeria for decades has been a mirage even at the face of constitutional backing. A lot of human rights violations are noticed daily. David (2014)⁷ in tracing the history of human rights abuse in Nigeria explained that the history of human right abuse in Nigeria is as old as Nigeria, herself. This is because the creation of the nation, Nigeria, was an abuse of the fundamental human right of the various entities that make up the Nigerian state. The approval of the various groups was not sought before they were emerged as a nation. This wrong foundation, he added, made it difficult for the groups to integrate and form a stable society. Strange, as that may sound but it makes sense. This is because it is the same issue that triggered the Nigerian civil war and thereafter the atrocities experienced during the war created

an atmosphere of mistrust, hatred, ethnicity, discrimination and violent struggle for political monopoly. Sadly, the provision of human rights statutes in the Constitution has not been able to address the problem adequately.

A BRIEF OVERVIEW OF NIGERIA

The Federal Republic of Nigeria is a Federal Constitutional Republic comprising of thirty-six states and its Federal Capital Territory, Abuja. It is located in West Africa and shares land borders with the Republic of Benin in the west, Chad and Cameroon in the east, and Niger in the north. Its coast in the south lies on the Gulf of Guinea on the Atlantic Ocean. The three largest and most influential ethnic groups in Nigeria are the Hausa, Igbo and Yoruba. In terms of religion, Nigeria is roughly split half and half between Muslims and Christians with a very small minority who practice traditional religion Okoro (2012)¹⁰. Nigeria is home to 158 million people, the largest population in Africa and plays a significant role in influencing the political agenda in Africa. Out of the large population of Nigeria, 55% live in rural area while 45% live in the urban areas (National Population Commission 2003). In view of this large population and the problems of Judiciary officers, there is a need to ensure adequate enhancement of individual human rights at the grassroots and national level.

V. SOCIO-CULTURAL FACTORS MILITATING AGAINST HUMAN RIGHTS IN NIGERIA

Olowu (2009)¹¹ in his book gives us a suitable opening excerpt:

A particularly problematic factor in evolving a rights-based approach in African development discourse is the unmistakable devaluation of economic, social and cultural rights as legal entitlements. While the legal systems of many African states are replete with constitutional provisions and multiples of treaty provisions that give positive recognition to the implementation of economic, social and cultural rights, these rights are generally less protected, less implemented, and even generally less discussed. The outcome has been an unmistakable incoherence in the interpretation of economic, social and cultural rights at diverse fora in Africa. I seriously contend that the continued devaluation of economic, social and cultural rights will render human rights practically irrelevant to whatever development agenda Africa embarks upon.

The strengthening of a good human right system is a needed tool for enhanced general development of the nation. Constitutional provisions and declarations are the starting points. The following socio-cultural factors should be looked at in view of the impact they have on human rights system in Nigeria. These factors are further separated into clusters of factors namely Leadership factors, People Oriented Factors, Cultural Factors and a blend of Leadership and Cultural Factors.

VI. LEADERSHIP FACTORS

Corruption – Corruption has been noted by many researchers as a major problem confronting human rights system in Nigeria. Very often officers who are expected to use their positions to promote human rights often collect bribe and turn their backs on terrible human rights violations meted on the masses. Augie (2004)⁸ sees corruption as a factor that creates a vicious circle where human rights awareness is constantly paired with and undermined by harsh realities of poor economic and political performance. She further noted that Corruption is both the cause and the consequence of political turbulence, human rights abuses and under-development. Corruption is a challenge to everyone, and therefore effort must be made to address this problem.

Human Rights Report (2012)¹² also noted;

The Nigerian police have also been involved in frequent human rights violations, including extrajudicial killings, torture, arbitrary arrests, and extortion-related abuses. Despite the dismantling of many “road blocks” by the inspector general of police, corruption in the police force remains a serious problem. The police routinely solicit bribes from victims to investigate crimes and from suspects to drop investigations. Senior police officials embezzle or mismanage police funds, often demanding monetary “returns” that their subordinates extort from the public.

Poor Leadership – Leadership here is not only referring to the apex government but all leadership down the ladder to the grassroots. Ward leaders to the grassroots level do not initiate strong mechanism aimed at bringing the central government closer to the grassroots. They do little or nothing to ensure a two-way flow of information for good governance. David (2013)⁷ and Augie (2004)⁸ explained that leadership is a key problem in human rights issues in Nigeria.

Insincerity of Law Enforcement Agents – David (2013)⁷ noted that the high insecurity rate in Nigeria is because the law enforcement agencies are corrupt. They do not have much interest in protecting lives and

properties of the poor masses. Sometimes, Security Officers betray the trust citizens have in them by turning around to collect bribe and aiding accused persons to go free either because he is rich or because he is influential.

Rationing/Hoarding of Needed Information – Adequate information on human rights issues are often not circulated to the general public. This can be seen as a strategy of the government or Legal Officers or their Agents in order curtail litigation or unrest and also provide good avenues for milking money out of the ignorant citizens in the name of helping them to seek redress or justice. Augie (2004)⁸ explained that civil societies need to always involve the people they are advocating for. She said the people should be mobilized and properly sensitized. A recent Human Rights Report (2012)¹² noted that the undisciplined Nigeria Police Force was implicated in frequent human rights violations, including extrajudicial killings, torture, arbitrary arrests, and extortion-related abuses. The police routinely solicit bribes from victims to investigate crimes and from suspects to drop investigations. Embezzlement of police funds is rife among senior police officials who also often demand monetary “returns” from money extorted from the public by their subordinates.

Lack of Advocacy - This is closely tied to the availability of informed and committed leadership. Leaders, especially at the grassroots level are not often committed to sponsoring advocacies that will inform the people adequately or seek the provision of structures that will promote the respect for human rights of all. There is need for civil society to disseminate information and lobby to push through pro-people policies that will enable everyone know what is happening around them Augie (2004)⁸.

VII. PEOPLE ORIENTED FACTORS

Fear – Some Nigerians are quite afraid of being noted as a human right activist or a diehard individual who can fight for his right. Some of them have this funny belief that if you fight too much for your right assassins will be sent after you or your family to silent you. As a result of this, they choose to keep quiet about any infringement on their rights or the rights others. A classical example is during long strike action that sometimes get some people arrested or injured Moses (2011)¹³.

Ignorance – This represents a powerful challenge to human right system. Ignorance does not only have to do with the illiterate class but also with the illiterate class who are not aware of the provision of human rights. It is about the strongest challenge facing adequate promotion of human rights in Nigeria. The ignorant do not always only talk for themselves but will encourage and support infringement of other’s rights with the belief that what is happening is the right thing to do. David (2014)⁷ in his paper explained that most Nigerian citizens do not know their rights, cannot say when their rights are abused and do not know how to fight for their rights. Another revealing publication on the ignorance of Christians on the extent of persecution and how to seek redress Gryboski (2013)¹⁴. Also see DNA (2013)¹⁵ and Arthur (2012)¹⁶. Ignorance is a serious problem factor militating against an adequate human right system in Nigeria.

Illiteracy – About 50% of African continent is known to be illiterate Augie (2004)⁸. Illiterate populations do not often shown interest in knowing their rights or how to seek redress. They choose to succumb to infringement on their rights than to follow an enlighten person who offers to show them the way to seek their rights. United Nations state that only 27 per cent of children in Nigeria, of official secondary school age, are enrolled in secondary school, Stepping Stones Nigeria (2012)¹⁷. In a Vanguard publication in September 2013 Chief Nyesom Wike, revealed that Nigeria’s adult illiterates have increased from 25 million in 1997 to 35 million in 2013 Akinboade (2013)¹⁸.

Poverty - A Human Rights Watch Report 2014¹⁹ revealed that poverty is one of the core problems facing development in Nigeria. It permeates different facets of life including human rights issues. This happens in different ways

- ⇒ The poor are not interested in bothering themselves about issues that will not put food in their plates within 24 hours
- ⇒ The poor can easily collect bribe (usually some annoying token like few cups of rice or bread) and gladly allow their rights to be infringed upon or deny them.
- ⇒ The poor may be living in very remote areas that have not been accessed by Human Rights activist
- ⇒ Various Human Rights enlightenment campaign given through the Media do not get to the poor because many of them do not have lights or cannot afford any means of media.

Nonchalant Attitude of Some Nigerians - Many Nigerians dismiss the talk of Human rights as a waste of time explaining that selfish politicians will never bother about protecting the human rights of vulnerable masses. Some people in this group will calmly tell you “I have more important things to do with my time than to be pursuing human rights”. Some very rich people fall into this category. Some of them strongly believe that since they are already at the peak of their profession human right talk is not very relevant to them and even when any need arises they have the way withal to get what they want.

VIII. CULTURAL FACTORS

The Passion to Protect Family Name and Image – There are families who would prefer to be quiet about certain human rights violations because they have the belief that seeking redress will expose the family to unnecessary enmity and disgrace.

Binding Tradition – Okome (2011)³ in his study revealed that a lot of women still suffer under the tradition of Female Genital mutilation. Most women find themselves tied to this tradition even against their will. In the same way other human right issues that may challenge an age old practice will not be easily accepted by certain communities. Some traditions see women as domestic helper at home and not social or political leaders in public Augie (2004)⁸

Religious Doctrine – Some religious doctrines militate against human rights system especially when it appears to conflict with their set beliefs. For instance a religious belief that states that women are to be at home doing domestic chores will frown at and reject any attempt to give women the opportunity to be educated or to hold leadership position. They also consider some human rights issues to be vain and irrelevant to fight for because God is there to take care of them and judge for them. This therefore encourages the members to turn away from human rights issues and to also refuse to raise any alarm against any human rights abuse or violations in their locality. In some cases like the Boko haram sect, they strongly believe that certain human rights violations they are involved in are good service to God.

A BLEND OF LEADERSHIP AND PEOPLE ORIENTED FACTORS

Unbalanced/Hasty Media Coverage – Media reports of human rights violations sometimes are carefully packaged to favour or protect the government stand. On the other hand certain media reports are too hasty thereby exposing planned actions prematurely, Doublegists (2013)¹⁹. It is also a notable fact that certain human rights violations in remote rural areas are often not reported or are reported late based on information from a ‘hear say informant’ and not an ‘eye witness.’

Lack of Basic Social Amenities – These basic social amenities include steady supply of light, water and needed social institutions like Schools and Social Orientation Centre. Without light and social orientation agencies, the populace is not adequately informed. They are therefore not aware of what they should do or probably do not even know what rights they have.

Lack of Advocacy - This is closely tied to the availability of informed and committed leadership. Leaders, especially at the grassroots level are not often committed to sponsoring advocacies that will inform the people adequately or seek the provision of structures that will promote the respect for human rights of all. There is need for civil society to disseminate information and lobby to push through pro-people policies that will enable everyone know what is happening around them Augie (2004).

Presenting the above militating factors on a Radial Venn frame it will appear as follows;

*A Diagrammatical Illustration of Socio-Cultural Factors
Militating against Human Rights in Nigeria*



Source: Ikpeme, N. J. (2014)

The above diagram shows an overlapping interaction between the factors. These factors are also not static at one position. This is because at a certain point in time or a certain location a combination of leadership factors may be the problem while at a certain point it may be a combination of cultural factors or even all the factors. The important issue however is that these factors all exist and are weighing down on the human right system. This diagram clearly demonstrates the choking effect these factors have on the human right system in Nigeria.

IX. RECOMMENDATION AND CONCLUSION

In view of the above, the problems of human rights violation in Nigeria have a tangible structure with its tentacles spread to different facets of social life. This structure reveals known socio-cultural factors militating against the promotion of a good human right culture in Nigeria. These issues can be addressed in different ways including the following;

- ✓ Empowerment of Civil Societies and Community Based Organizations to enable them mobilize and sensitize every citizen on the dynamics of human rights issues. Hammarberg, (2009)²¹ in his opening speech in Lisbon Forum stated in strong terms that ignorance should be targeted seriously in addressing human rights violations.
- ✓ Creation of self help groups whose membership will be drawn from different groups in each community where they are formed.
- ✓ Members of every group and strata of the society should be adequately represented in human rights commissions.
- ✓ Structures and Mechanisms should be provided to ensure prompt and easy access for all to a fair Legal system.
- ✓ The Media should ensure that cases of human rights abuses on the poor or the illiterates groups are given adequate coverage.
- ✓ Laws or Policies criminalizing life threatening cultural practices should be made.
- ✓ Security agents and legal officers should be properly remunerated to motivate them to face their work sincerely.
- ✓ Civil Societies and Community Based Organizations should provide adequate sensitization in religious institutions to create proper awareness amongst the religious groups on human rights issues.
- ✓ The dynamics of human rights system should be taught in all schools including primary schools.

- ✓ Free education at the primary level should be ensured for all citizens in the country.
- ✓ Leadership training in School curriculum should form part of the primary school curriculum.
- ✓ Any security officer favouring the rich to violate the right of the poor should be dismissed from security service.
- ✓ The President of the country should always endeavor to be available for a regular talk back program in the media. This will afford him a regular check list of issues to tackle for the benefit of the poor masses.

REFERENCES

Journal Papers:

- [1] **Bureau of Democracy (2012)** Human Rights and Labour, Human Rights Practices for 2012
- [2] **Okome, Mojbol Olfnk (2011)** "Domestic, Regional, and International Protection of Nigerian Women against Discrimination: Constraints and Possibilities." *African Studies Quarterly* 6, no. 3: [online] URL: <http://web.africa.ufl.edu/asq/v6/v6i3a2.htm>
- [3] Human Rights Watch (2013) World Report 2013, <http://www.hrw.org/world-report/2013/country-chapters/nigeria?Page=2>
- [4] David, K. (2014) Human Right Abuse, Hubpages, <http://davidkaluge.hubpages.com/hub/human-right-abuse>
- [5] Human Rights Watch (2012) World Report 2012, <http://www.hrw.org/world-report/2012/country-chapters/nigeria?page=2>
- [6] Gryboski, M. (2013) Human Rights Activist: Many Christians 'Ignorant' of Extent of Persecution The Christian Post, <http://www.christianpost.com/news/human-rights-activist-many-christians-ignorant-of-extent-of-persecution-87917/>
- [7] DNA Correspondent (2013) Indoreans either Ignorant or Negligent about Human Rights: NHRC Official, Diligent Media Corporation Ltd, <http://www.dnaindia.com/india/report-indoreans-either-ignorant-or-negligent-about-human-rights-nhrc-official-1937714>
- [8] Arthur, J (2012) Motion 312: An Ignorant Affront to Global Human Rights Standards, [rabble.ca, http://rabble.ca/columnists/2012/04/motion-312-ignorant-affront-global-human-rights-standards](http://rabble.ca/columnists/2012/04/motion-312-ignorant-affront-global-human-rights-standards)
- [9] Stepping Stones Nigeria (2012) Education and Literacy, <http://www.steppingstonesnigeria.org/education.html>
- [10] Human Rights Watch (2014) World Report 2014, <http://www.hrw.org/world-report/2014/country-chapters/nigeria?Page=2>
- [11] Akinboade, L. (2013) 35m Nigerian adults are illiterates — MINISTER, Vanguard Newspaper, <http://www.vanguardngr.com/2013/09/35m-nigerian-adults-are-illiterates-minister/>
- [12] Doubleglist (2013) Mass Media – the Coverage of Human Rights Issues in Nigeria, Double Gist.com <http://www.doubleglist.com/mass-media-coverage-human-rights-issues-nigeria/>
- [13] 2011 Country Reports on Human Rights Practices, Nigeria, Bureau of Democracy, Human rights and labour, US Department of State

BOOKS:

- [14] Wikipedia, the free encyclopedia (2014) Human Rights, http://en.wikipedia.org/wiki/Human_rights
- [15] Olowu, D. (2009) An integrative rights-based approach to human development in Africa, ABC Press Cape Town
- [16] Nwofor, J. E. (2010) "Human Right and Human Right Education in Nigeria" in Nnadozie O. Uche (ed.) *Topical Issues in Social Sciences*, Nsukka, Rek books

CHAPTERS IN BOOKS:

- [17] Enebe, G. C. (2008) "The Concept of Human Right: Origin, Meaning and Place in the New World" in Obiora Anichebe (ed) *Logic, Philosophy and Human existence* 8th edition, Nsukka, Afro- Orbis publication.
- [18] Nwofor, J. E. (2010) "Human Right and Human Right Education in Nigeria" in Nnadozie O. Uche (ed.) *Topical Issues in Social Sciences*, Nsukka, Rek books

PROCEEDINGS PAPERS:

- [19] **Gawanas, B (2011)** The African Union: Concepts and Implementation Mechanisms Relating to Human Rights, www.kas.de/upload/.../namibia/Human_Rights...Africa/6_Gawanas.pdf
- [20] **Augie, A. A. (2004)** Human Rights and Good Governance in Africa: A Critical Nexus Expanding Human Rights, a proceeding presentation of African Development Forum, Ethiopia. Available on http://213.55.79.31/adf/adfiv/documents/speeches_and_presentatons/amina.htm
- [21] **Moses, A. (2011)** Strike Action and Economic Development Nigeria, A workshop Presentation, Poverty Free society News Letter, Calabar
- [22] **Hammarberg, T. (2009)** Human Rights Education: Fighting Ignorance, Encouraging Tolerance, Opening Speech, Lisbon Forum, http://www.coe.int/t/dg4/nscentre/lisbonforum/LF09_ThomasHammarberg.pdf