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POTENTIALS OF SOCIOECONOMIC RIGHTS IMPLEMENTATION IN MITIGATING INSECURITY IN NIGERIA

Daniel P. Saredau*

Abstract

Nigeria's Constitution proclaims the security and welfare of the people as the primary purpose of government. However, the acute conditions of insecurity and poverty afflicting the country hollow this proclamation. This analytical study employs a discursive research design to examine the potential of implementing socioeconomic rights in mitigating Nigeria's security challenges. The study finds a correlation between the implementation of socioeconomic rights and the quest for security in Nigeria. It also finds that socioeconomic rights implementation is essential for the existence, legitimacy, and stability of the Nigerian state. Accordingly, the study offers suggestions on socioeconomic rights implementation strategies that Nigeria can adopt towards a more secure and prosperous state. The study concludes that implementing socioeconomic rights doubles as both the means and end of attaining both human and national security, and that so doing is as beneficial to the people as it is to the state.

Keywords: socioeconomic rights; human security; human development; Nigeria

1. Introduction

Nigeria is Africa's most populous country, and endowed with sufficient human and material resources to be one of the most socioeconomically prosperous countries of the world.¹ However, it remains a country of promise and enduring challenges, as it finds itself among the least viable, and confronted on numerous sides by perennial insecurity.² The insecurity in Nigeria can be explained from the perspective of the country's human development situation. Ranked at 161 of 189 countries in the Human Development Index 2021,³ and with an estimated 83 million people -39 percent of its population living in extreme poverty-⁴

* LLB (Abj), BL (Lag), LLM, PhD (Ibadan), Lecturer, Faculty of Law, Taraba State University, Jalingo, Nigeria; Email: dansaredau@yahoo.com.

¹World Economic Forum '5 facts to know about Africa's powerhouse' 9 August 2019 <https://www.weforum.org/agenda/2019/08/nigeria-africa-economy/> (accessed 20 March 2021).

² In our view, insecurity is the state of being vulnerable or subject to harm, danger or injury either in one's person or properties. Insecurity results in death, injury, harm, trauma, damage, or psychological stress.

³ United Nations Development Program *Nigeria country profile* (2021) <http://hdr.undp.org/en/countries/profiles/NGA> (accessed 30 March 2023).

⁴ World Poverty Clock *Nigeria* (2021) <https://worldpoverty.io/map> (accessed 16 April 2022).

Nigeria is labelled the poverty capital of the world.⁵ Poverty is, unsurprisingly, both a cause and an effect of the insecurity situation in Nigeria.⁶ For many Nigerians, forced to endure the country's harsh socioeconomic conditions, improvement in the quality of life remains a challenge, and life has become precarious, tiresome, and increasingly unbearable. A situation of insecurity with citizens increasingly resorting to self-help in an effort at improving their quality of life is neither sustainable nor inspiring. Rather than reduce, the insecurity in Nigeria has so snowballed dramatically that some have argued that the country now belongs in the rank of failed states.⁷ Opinion editorials have corroborated earlier observations as noted in commentaries from the Nobel Laureate, Wole Soyinka, describing Nigeria as a warzone,⁸ while Mathew Hassan Kukah, a revered clergy, described Nigeria as a nation wrapped in desolation.⁹

The discontentment with socioeconomic deprivation and poverty has contributed significantly to increased criminality and violent conflicts in Nigeria. This manifests in varied forms and dynamics including terrorism,¹⁰ insurgency,¹¹ separatist agitations,¹² unknown-gunmen attacks,¹³ banditry,¹⁴ kidnapping and abductions,¹⁵ farmers-herders violent conflicts,¹⁶ and ethno-religious communal crisis.¹⁷ The unfortunate social impact and outcome is spread across destruction of lives and properties, loss of livelihoods, displacement of persons, disintegration of communities, and the creation of an

⁵ End Poverty 'Nigeria: Poverty Capital of the World' (2021) <https://www.endpoverty.org/blog/nigeria-poverty-capital-of-the-world> (accessed 12 May 2021).

⁶ UC Okolie, OA Onyema & US Baseey 'Poverty and Insecurity in Nigeria: an empirical study' (2019) 6 *International Journal of Legal Studies* at 247

⁷ RI Rotberg & J Campbell Foreign Policy 'Nigeria is a failed state' (2021) <https://foreignpolicy.com/2021/05/27/nigeria-is-a-failed-state/> (accessed 17 October 2021); Proshare 'Failed States Index: Nigeria Ranked 15 out of 177 Nations' (2021) <https://www.proshareng.com/news/Nigeria%20Economy/Failed-States-Index--Nigeria-Ranked-15-out-of-177-Nations/7135> (accessed 25 October 2021).

⁸ S Aikuola 'Nigeria at war, in war zone, says Soyinka' *The Guardian* (Lagos) 8 December 2020 <https://guardian.ng/news/nigerians-at-war-in-war-zone-says-soyinka/> (accessed 21 October 2021).

⁹ 'Full text: Bishop Kukah's Christmas message that sparked reactions' *Sahara Reporters* (Lagos) 30 December 2020 <http://saharareporters.com/2020/12/30/full-text-bishop-kukahs-christmas-message-sparked-reactions> (accessed 21 October 2021).

¹⁰ Such as the threat of Boko Haram in Nigeria's north-east.

¹¹ Such as the restive agitations in Nigeria's Niger-Delta region.

¹² Such as the threat of the Indigenous People of Biafra (IPOB) in Nigeria's south-east.

¹³ Mostly in south-east Nigeria.

¹⁴ Mostly in north-west Nigeria.

¹⁵ Widespread across the country.

¹⁶ Mostly in central Nigeria.

¹⁷ Mostly in central Nigeria.

overall ominous cloud of fear, resulting in a toxic atmosphere of palpable tension, and subsisting apprehension among citizens.

Curiously, the varied forms of insecurities and criminalities continue to fester, and are often reinforced by the political elites' deliberate manipulation of fallouts of the country's heterogeneity. It is our view that Nigeria has suffered more from its post-colonial leaders than it ever did during the British colonial regime. It is considered that the post-colonial leaders have largely used the country's legitimate frameworks as stepping stones to their different heights of inanities, such as inexplicable wealth. The recurring antics of the political elites are to distract the society by pointing to the religious and ethnic differences among the people, which often instigate unending hate and hatred. Viewed critically, the disagreements among political elites in Nigeria are not about the fine ideals of good governance, but about the capture of power for the purpose of furthering parochial interests. Political power is mainly not sought for altruistic purpose of good governance, but as a source of economic security. In the mix, the citizens become disposable ladders.

Theoretically, the social contract posits that the basis of the state is a compromise or covenant among the people, who agree to abide by the law of the state in order to prevent conflict and insecurity. Authority is donated by the people to the government to advance the interests of the people, which is their security and welfare. In this connection, section 14 of the Constitution of the Federal of Nigeria, 1999 (Constitution of Nigeria) proclaims security and welfare of the people as the primary purpose of government, and that Nigeria is a state based on the principle of social justice. This provision creates an obligation on the Nigerian state to implement socioeconomic rights for its citizens. Consequently, this study argues that where socioeconomic rights are assured, citizens are thereby assured of the existence of legal and credible mechanisms for redressing socioeconomic grievances, thereby preventing resort to extra-legal mechanisms, namely crime and criminality.

The social contract, social justice and socioeconomic rights unifying perspective illuminates the justification for citizens challenge to the existence of a government that controls state resources but neglects its socioeconomic rights obligations of ensuring social justice. This perspective provides some insight into the numerous internecine conflicts and insecurity in Nigeria. The study approaches the drivers of insecurity in Nigeria as not different from the response of citizens to penury, governmental inaction in the face of destitution, and the absence of a viable legitimate means for ensuring social justice. Expectedly, the study utilizes law, both from its traditional role as a means of social control, and importantly, from its role as an agent of social change towards the ends of development.¹⁸ Law is applied for social justice through a human rights-based

¹⁸ On the relationship between law and development in the context of Nigeria, see DP Saredau 'Law and Nigeria's development: how to strengthen the efficacy of law for

approach to development. In this perspective, law serves a dual purpose, namely, of security and development in the state. This proposition is contended as a viable addition to the existing security and development strategies in the country.¹⁹ It is our assumption that in a stable society, where citizens are able to lead the kind of life they want, the incidence of insecurity and criminality would be greatly weakened,²⁰ while the prospects of development would be greatly enhanced.²¹

Through descriptive and theoretical analysis, this study shows how non-implementation of socioeconomic rights, is on the one hand, same as denial of social justice, and on the other hand, constitutes a breach of social contract, and responsible, on either ground, for precipitating resort to self-help by citizens which manifests in various forms of crime and criminality. It is argued that the reality and effects of the increasing insecurity and criminality in Nigeria could be halted through legitimate and coherent response to socioeconomic concerns of the citizens. Accordingly, we analyze how resolving the human development challenges in Nigeria through socioeconomic rights implementation would lead to attainment of social justice in the country. The projected outcome is to engender in Nigerians, the capacity to lead the kind of lives they have reason to value, to ensure the stability of the Nigerian state, and to weaken the propensity for citizens' resort to self-help, cumulatively contributing to decrease in insecurity. In undertaking these tasks, we segment the study into five sections. Section two, which follows this introductory section, attempts a linkage of the concepts of social contract, social justice, self-help and socioeconomic rights, as keys to the study. Section three provides the socioeconomic rights context to the challenges of insecurity in Nigeria. In section four, the study advances socioeconomic rights as a viable security strategy for Nigeria. The study ends with a conclusion in section five.

2. Linking the Concepts of Self-help, Social Contract, Social Justice, and Socioeconomic Rights

development in Nigeria' (2021) 29 *African Journal of International and Comparative Law* at 551 DOI:10.3366/ajicl.2021.0383.

¹⁹ Of course, we are not supposing that realization of socioeconomic rights is the solution to all insecurity in Nigeria in all its multitudinous dimensions and causes. However, our view is that socioeconomic rights realization is vital to substantially mitigating insecurity in Nigeria, especially because we perceive that the drivers of insecurity in Nigeria have their causes and dimensions in socioeconomic malaise.

²⁰ For perspectives, see M Rudolph & P Starke 'How does the welfare state reduce crime? The effect of program characteristics and de commodification across 18 OECD-countries' (2020) 68 *Journal of Criminal Justice* 101684.

²¹ For perspectives, see International Social Security Association Development and Trends Global Report 2010 *Dynamic social security: securing social stability and economic development* https://ww1.issa.int/sites/default/files/documents/publications/2-DT-global_en-24412.pdf (accessed 20 July 2022).

In a way, the proclamation of socioeconomic claims as human rights under the Universal Declaration on Human Rights (Universal Declaration) has set the parameters for evaluating the legitimacy of governments.²² Consequently, if the purpose of a government is to provide for the welfare and security of citizens, it fails to fulfill this purpose when it commits to enforcing only civil and political rights while neglecting socioeconomic rights.²³ In that connection, citizens would be justified to question the existence of the state, its control over national wealth, and its overall responsibility, where it fails to live up to its socioeconomic obligations to the citizens.²⁴

A contrast to legitimate expectations under social contract is an absence of credible plan for their realization, and a creation of citizen's vulnerability to neural exigencies for survival or self-help. The Cambridge Dictionary defines self-help as the activity of providing what you need for yourself and others with similar experiences or difficulties, without going through an official channel.²⁵ In the legal sense, self-help refers to obtaining relief or enforcing one's rights without going through the legal processes.²⁶ Self-help was practiced in the state of nature before governments were formed for order, and progressive benefit of citizens and states. Self-help prevailed in the life of the 'natural man', or as Thomas Hobbes called it, the picture of life in 'the state of nature.'²⁷ Hobbes depicted the horrors of such an existence in the legendary commentary on the life of man in the state of nature being 'solitary, poor, nasty, brutish and short.'²⁸

The development of the state is a way of ending the war of each against all. Society is thus, a compromise which people enter into so as to assure their security and welfare. Hobbes used the theory of 'social contract' to explain society. The compromise or 'covenant', as Hobbes called it, consists of an agreement among people to abide by a certain set of rules, or 'conventions.'²⁹ These constitute their contemporary reference and usage as the 'laws of the

²² SC Agbakwa 'Reclaiming humanity: economic, social, and cultural rights as the cornerstone of African human rights' (2002) 5 *Yale Human Rights & Development Law Journal* 180 <https://digitalcommons.law.yale.edu/yhrdlj/vol5/iss1/5> (accessed 15 May 2021).

²³ As above.

²⁴ A Momoh & S Adejumobi *The Nigerian military and the crisis of democratic transformation: a study in the monopoly of power* (1999) 211.

²⁵ 'Self-help' Cambridge Dictionary <https://dictionary.cambridge.org/dictionary/english/self-help> (accessed 17 April 2022).

²⁶ 'Self-help' US Legal <https://definitions.uselegal.com/self-help> (accessed 17 April 2022).

²⁷ SA Lloyd & S Sreedhar 'Hobbes's moral and political philosophy' in EN Zalta (ed) *The Stanford Encyclopedia of Philosophy* <https://plato.stanford.edu/archives/fall2020/entries/hobbes-moral/> (accessed 20 July 2022).

²⁸ As above.

²⁹ As above.

society.’ People agree to abide by the laws of the society in order to avoid being harmed in conflicts which would rage where there are no laws in existence. Similarly, John Locke’s ideas, as expressed in the *Second Treatise on Civil Government*, reflected on the social contract theory. With a seeming reaffirmation of expositions of Hobbes in the *Leviathan*, Locke begins his *Second Treatise on Civil Government* with a historical account of the origin of government, using like Hobbes did, the notion of a social contract.³⁰ Locke then argued that even though men, on the whole, live peaceably in the state of nature, there were issues necessitating the formation of the state with governments for judicial, executive and legislative functions. Crucially, Locke perceived government as a mechanism employed by the people to advance their interests and to do those things they either could not do, or find inconvenient to do directly. Government is like a secretary to whom power is delegated, but never relinquished. Hence, once a government becomes deleterious to the ends for which it was formed, the authority delegated to it can be revoked.³¹ Such unfortunate situation would return us to the state of nature with all its ills, especially the propensity for self-help. Hence, to prevent resort to self-help, a state must abide with its primary obligations under the social contract, namely, ensuring the security and welfare of its people.

The theory of social justice encapsulates this social contract obligation. Social justice, which refers to the distribution of valued goods and necessary burdens in the society, may be broadly understood as the fair and compassionate distribution of the fruits of economic growth.³² In the United Nations system, the term was brought to prominence when used in the 1969 Declaration on Social Progress and Development which obliges states to ensure social progress

³⁰ W Uzgalis ‘John Locke’ in EN Zalta (ed) *The Stanford Encyclopedia of Philosophy* <https://plato.stanford.edu/archives/fall2022/entries/locke/> (accessed 20 July 2022).

³¹ John Locke’s ‘social contract’ ideas informed the United States’ Declaration of Independence. Portions of par 2 of the Declaration, reads thus: ‘We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any form of Government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.’ See National Archives ‘Declaration of Independence: a transcription’ <https://www.archives.gov/founding-docs/declaration-transcript> (accessed 16 March 2022).

³² The International Forum for Social Development United Nations Department of Economic and Social Affairs Division of Social Policy and Development ST/ESA/305 *Social justice in an open world: the role of the United Nations* (2006) 7 <https://www.un.org/esa/socdev/documents/ifsd/socialJustice.pdf> (accessed 23 May 2022).

and development by promoting social justice, which requires the recognition and enforcement of civil and political rights as well as socioeconomic rights without any discrimination.³³ The UN document *Social Justice in an Open World: the Role of the United Nations* warns that social justice is not possible without strong and coherent redistributive policies conceived and implemented by public agencies.³⁴ The document further notes that while governments and international organizations vacillate between the adjustment, neglect, and abandonment of redistributive policies, there is no evidence yet of any socially, politically or economically viable alternative.³⁵

The theory of social justice can be understood from the perspective of utilitarianism as propounded by Jeremy Bentham and John Stuart Mill. In this context, utility is viewed as the measure of justice: the maximum good of the greatest number of individuals. Whatever is painful and unjust must be reformed in the interest of the greatest number of individuals. Mill's perspective contains perhaps, the most persuasive presentation of this position, namely, all questions of distributions are to be resolved by reference to their consequences. Hence, a socially just allocation is one that produces the greatest sum of happiness for the greatest number of individuals.

Understood from the perspective of John Rawls's theory of justice,³⁶ social justice means that each person is to have an equal right to the most extensive system of basic liberties compatible with a similar system of liberty for all. For Rawls, a 'good' society distributes its wealth in such a way that poverty is minimized. Rawls' main concern was on an economically just society as a society could be politically just because of its commitment to certain basic freedoms, and yet distribute its wealth in ways that are unfair. Hence, Rawls' outlook is tinged by the kind of moral fervor we find in Karl Marx, who believes that unrestrained capitalism is immoral in the way it exploits workers. But unlike Marx, Rawls does not object to a society which exhibits differentials in wealth. What Rawls objects to, is a society where inequalities in wealth allow some persons to sink beneath a minimal level with respect to basic needs. A fundamental principle in Rawls work is, therefore, 'the difference principle' which demands that inequalities in certain basic goods of society be allowed only when the distribution of primary goods also benefits the worst off in society. The theory of social justice is relevant to Nigeria because section 14(1) of the Constitution of Nigeria asserts that Nigeria is a state based on the principle of social justice.

³³ Office of the High Commissioner on Human Rights *Declaration on social progress and development* (1969) <https://www.ohchr.org/Documents/ProfessionInterest/progress.pdf> (accessed 23 December 2019). At art 2 of the Declaration.

³⁴ (n 32) 6.

³⁵ (n 32) 7.

³⁶ J Rawls *A Theory of Justice* (1971).

An effective and sustainable means of achieving social justice is by realization of human rights. Literally, human rights are the rights that one has simply as a human- as such they are equal rights, because we are all equally human beings.³⁷ Human rights are often described as universal, inalienable, and independent. While the inalienability premise draws attention to the fact that human rights are inherent rights of individuals, the universality speaks to the fact that all people have and should enjoy them, and the independence premise refers to the materiality and availability of human rights as standards of justification whether or not they are recognized and implemented by the legal system of a country. Global attention to human rights can be traced to the adoption of the Universal Declaration by the UN General Assembly on 10th December, 1948, as a common standard of achievement for all peoples and nations.³⁸ Out of the Universal Declaration came the International Covenant on Civil and Political Rights (ICCPR)³⁹ as well as the International Covenant on Economic, Social and Cultural Rights (ICESCR)⁴⁰. Further, the 1993 Vienna Declaration and Programme of Action sets the parameters for equal treatment of all human rights, and asserts that the promotion of human rights is the first responsibility of governments.⁴¹

Human rights are sometimes classified into generations, where civil and political rights (such as right to life, right of expression, right of association, and right to liberty, among others) are said to be the first generation rights, while socioeconomic rights (such as right to work, right to adequate standard of living, right to health, right to education, among others) are termed second generation rights.⁴² Historically, the civil and political rights have received more

³⁷ J Donnelly 'Human rights, democracy and development' (1999) 21 *Human Rights Quarterly* 612

³⁸ United Nations 'Universal Declaration of Human Rights' (1948) <https://www.un.org/en/about-us/universal-declaration-of-human-rights> (accessed 10 July 2022).

³⁹ Office of the High Commissioner on Human Rights 'International Covenant on Civil and Political Rights' (1976) <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights> (accessed 10 July 2022).

⁴⁰ Office of the High Commissioner on Human Rights 'International covenant on Economic, Social and Cultural Rights' (1976) <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-economic-social-and-cultural-rights> (accessed 10 July 2022).

⁴¹ Office of the High Commissioner on Human Rights 'Vienna Declaration and Programme of Action' (1993) <https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action> (accessed 10 July 2022).

⁴² S Ilesanmi, M Adigun & A Olatunbosun 'Economic rights and justice: of walls and bridges, exclusions and inclusions' in IS Chiroma & YY Dadem (eds) *Proceedings of the 51st Annual Conference of the Nigerian Association of Law Teachers* (2018) at 118.

attention, and protection than the socioeconomic rights, which are placed in a relegated position.⁴³ Yet, the socioeconomic rights protect the necessities of life, such as housing, employment, health, education, and environment.

Though it may seem fanciful to classify human rights generationally, however, it is our view that, it is more helpful to simply talk about types of rights. This is because the generational classification can be misconceived as some form of ranking or grading which may lead to an erroneous assumption of pre-eminence of civil and political rights over socioeconomic rights, or that priority should be accorded to the first-generation rights over the second-generation rights. This is unhelpful and counterproductive. Our view finds support in the theory and practice of international human rights law asserting all human rights as indivisible, equal, interrelated and interdependent. Hence, even though various ideological, textual, and pragmatic reasons may have relegated socioeconomic rights, we submit that the underlying idea of human rights as the promotion of human dignity, freedom and wellbeing can hardly be achieved without fulfilling socioeconomic rights. For as some writers have asserted, socioeconomic rights provide protection for the dignity, freedom and well-being of individuals, by guaranteeing state-supported entitlements to education, public health care, housing, a living wage, decent working conditions and other social goods.⁴⁴

3. Contextualizing Insecurity in Nigeria

National security is inextricably linked with human security.⁴⁵ While the traditional understanding of national security is a state-centric analysis focusing on the safety of the state from military aggression, human security beams focus on the subnational and the way communal conflicts, poverty, and diverse forms of terrorist and criminal activities by illegally armed non-state actors within the state's borders, threaten the safety of citizens, communities, and the institutions of state. Thus, in order to ensure sustainable national security, the state must first ensure and embrace 'the organizing concept of human security which is a people-centered approach focused on individual human beings and their rights and needs.'⁴⁶ Human security encompasses the wellbeing of the human person, their health, access to adequate standard of living (especially in terms of food, housing, and employment), as well as a socioeconomic system that protects and promotes their welfare. Accordingly, a secured human is one who is insulated from the threat of hunger, destitution, unemployment, environmental degradation, and socioeconomic deprivation. As popularized by the slogan of

⁴³ UN Committee on Economic, Social and Cultural Rights *Fact Sheet No 16 (Rev 1)* (1991) <http://www.unhchr.ch/html/menu6/2/fs16.htm> (accessed 15 January 2022).

⁴⁴ Ilesanmi, Adigun & Olatubosun (n 42) 117.

⁴⁵ For perspectives on the interface between human security and national security, see DS Reveron & KA Mahoney-Norris *Human and national security: understanding transitional challenges* (2019); D Anderson-Rogers & KF Crawford *Human security: theory and practice* (2018).

⁴⁶ Reveron & Mahoney-Norris (n 45) 10.

the UN Commission on Human Security, human security aims for people to live in ‘freedom from want, freedom from fear, and freedom to live in dignity’.⁴⁷

Human security, understood, as the security of the human person *qua* the citizen of the state, enhances our appreciation of the linkages between the citizen and the state. This is done by emphasizing a people-based security structure, where the security of the citizen determines that of the state. The human security approach, because it looks inward to the people, and enjoins the state to create socioeconomic, political, and environmental structures that promote the survival, livelihood, and dignity of its people, has the capacity to help states ‘reduce the likelihood of conflicts, overcome the obstacles to sustainable development, and promote a life of dignity all’.⁴⁸

When security threats to the survival, livelihood, and dignity of the human person are addressed, the interface between security, development, and human rights is expanded, and a new integrated and human-centered approach to advancing national security and development is promoted. As one commentator observed, the biggest single problem faced by states aspiring to be democratic has been their ‘failure to provide the substance of what people want from government: personal security, shared economic growth, and the basic public services (especially education, health care, and infrastructures)’.⁴⁹ We submit that the failure of governments to make these provisions is what has resulted in destabilizing insecurity from within national borders. In context, the spate of banditry, terrorism and communal clashes in Nigeria should be understood as the result of the inadequate human security policy and implementation mechanisms in the country.

Actually, the Nigerian state displays crass laxity in dealing with the fundamental human security needs of its citizens, which in the words of section 14(2)(b) of the Constitution, is the security and welfare of the people. Many citizens resort to varied forms of criminality in order to escape the biting pangs of poverty, or to defy a state order which is irresponsive to their concerns of socioeconomic welfare and human dignity. Others, affected by conflict and security, especially those whose sources of livelihoods are destroyed by insecurity, may also turn to criminality to secure new livelihoods. Some become psychologically washed up into radical fanaticism since they are already disillusioned by the brutish existence into which the state forces them. Again, the political elites who feed fat on the country’s hegemony, in order to distract

⁴⁷ See <https://www.un.org/humansecurity/> (accessed 20 April 2022).

⁴⁸ Report of the Secretary-General, Follow-up to the General Assembly Resolution 666/290 on human security A/68/685 (2013) <https://www.un.org/humansecurity/reports-resolutions/>.

⁴⁹ F Fukuyama ‘At the “End of History” still stands democracy’ *The Wall Street Journal* June 6 2014 <https://www.wsj.com/articles/at-the-end-of-history-still-stands-democracy-1402080661> (accessed 10 July 2022).

attention of citizens, fan the embers of distrust, hate and hatred, especially based on the touchy divides of religion and ethnicity, with the result being violent communal clashes.⁵⁰ This is the context for the varied incidences of violent ethno-religious crisis, insurgency, terrorism, herders-farmers violent clashes, banditry, kidnappings, and the other criminalities bedeviling Nigeria. These manifestations of insecurity constitute existential threats to the country, as they become metastasized, more organized, and seemingly overwhelming the capacity of law enforcement authorities.

It is acknowledged that human rights protection is central to conflict management and peace-building,⁵¹ and in that context, put forward as an indispensable ingredient of stability and legitimate governance.⁵² Again, the UN Secretary-General, advances 'the creation of open, equitable, inclusive and pluralist societies based on the full respect of human rights and with economic opportunities for all'⁵³ as a viable panacea to violent extremism. The above identified instrumental role of human rights is why the Universal Declaration proclaims that it is essential, if people are not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law.⁵⁴ It is noteworthy that the Universal Declaration speaks of human rights in general, and not merely some type of human rights. For as the Vienna Declaration and Programme of Action proclaims, all human rights are interdependent, indivisible and interrelated.⁵⁵ However, Nigeria, much like most African countries, focuses on just the civil and political rights, while largely neglecting the socioeconomic rights.⁵⁶

Nigeria's fractional acknowledgement of human rights is a risky approach, and little wonder, conflicts and insecurity persist and prevail in the country. The neglect of socioeconomic rights, which is about the welfare of the people, and therefore, at the crux of human security, coupled with the absence of a viable

⁵⁰ The situation is not helped by the fact that parties are belligerent, asserting competing claims, claiming victimhood, accusing the 'other' of state support and consequently resorting to reprisals.

⁵¹ NJ Udombana 'The third world and the right to development: agenda for the next millennium' (2000) 22 *Human Rights Quarterly* 774.

⁵² SC Agbakwa 'A path least taken: economic and social rights and the prospects of conflict prevention and peace-building in Africa' (2003) 47(1) *Journal of African Law* 38

⁵³ UNDP *Journey to extremism in Africa: drivers, incentives and the tipping point for recruitment* (2017) at preface <https://journey-to-extremism.undp.org/>.

⁵⁴ Para 3 of the preamble.

⁵⁵ Vienna Declaration and Programme of Action, 25 June, 1993, UN World Conference on Human Rights in Vienna, UN Doc. A/CONF. 157/24 (1993).

⁵⁶ Hence, while ch 4 of the Constitution of Nigeria guarantees and provides judicial mechanisms for enforcing civil and political rights, social and economic rights are banished to ch 2 of the Constitution as non-justiciable fundamental objectives and directive principles of state policy.

mechanism for redressing socioeconomic grievances, routinely push citizens towards extra-legal means for redressing grievances. The correlation between neglect of socioeconomic rights and the persistence of insecurity provides insight for appreciating the spate of insecurity in Nigeria. Rather than religion, ethnicity or region, the main determinants of these conflicts and insecurity are socioeconomic in nature. Agreed that a model human rights regime, where socioeconomic rights are implemented as much as civil and political rights, may not be the antidote for every manifestation or dynamic of insecurity, yet, it would have a certain and substantial defusing impact, since the conflict and insecurity challenges bedeviling Nigeria have socioeconomic roots.⁵⁷

Underscoring the fact that gainful employment is a guard against criminality is the biblical admonition that 'Idle hands are the devil's workshop.'⁵⁸ A person who is not gainfully employed but is otherwise idling away would have enough time and energy to contrive varied shades and dimensions of mischief. And this illustrates the insecurity trajectory for Nigeria where a large unemployed youth population has resorted to varied dimensions of criminality to make ends meet or to defy the state order.⁵⁹ Unemployment produces a large pool of jobless, hungry, and angry youths, who soon find themselves involved in various forms of criminality. The rising unemployment rate in Nigeria and its attendant strain of reduced economic security creates fear, frustration, and aggression in the youths, which precipitates criminality.⁶⁰ By the latest estimates, while 33.3% percent of Nigeria's population is unemployed, the figure is higher for youth unemployment which stands at 42.5%.⁶¹ In its research on the factors precipitating extremism in Africa,⁶² the UN Development Program (UNDP) finds that 'employment is the single most frequently cited "immediate need" at the time of joining' for persons recruited into violent extremism, and that 'if a person was studying or working, they were less likely to be a terrorist.'⁶³

The UNDP research findings also confirm that socioeconomic factors are a critical component of the overall incentives and drivers of insecurity as many a

⁵⁷ S Nwokoro 'Falana, others call for enforcement of socio-economic rights of Nigerians' *The Guardian* (Lagos) 8 March 2022 <https://guardian.ng/features/falana-others-call-for-enforcement-of-socio-economic-rights-of-nigerians> (accessed 15 April 2022).

⁵⁸ Proverbs 16:27 *The Living Bible* (1971).

⁵⁹ C Akor 'Youth unemployment and the coming anarchy in Nigeria and South Africa' *Business Day* (Lagos) 5 May 2022 <https://businessday.ng/columnist/article/youth-unemployment-and-the-coming-anarchy-in-nigeria-and-south-africa/> (accessed 20 July 2022).

⁶⁰ A Conteh et al., 'Liberia' in A. Adedeji (ed.) *Comprehending and mastering African conflicts: the search for sustainable peace and good governance* (1999) at 181.

⁶¹ See, Nigeria Bureau of Statistics <https://www.nigerianstat.gov.ng/#> (accessed 20 July 2022).

⁶² UNDP (n 53).

⁶³ UNDP (n 53) 59

person is wont to channel their socioeconomic grievances and associated frustration into the cause or ‘bigger picture’ of violent extremist groups.⁶⁴ This is enabled by what the research terms ‘accident of geography’, whereby socioeconomic issues associated with growing up in marginalized or peripheral areas, areas with deficit of infrastructure and social amenities, areas with higher multidimensional poverty than national averages, areas with lived reality of unemployment, areas with low or poor quality of literary and educational and services, add up to shape a child’s worldview and future susceptibility to engagement in terrorism.⁶⁵ The logic is that a child who is neglected both by the state and its educational facilities, who grows up frustrated by socioeconomic injustice and relative deprivation, and who lacks a sense of direction or future opportunity, would have a mindset of heightened threat perception formed ready for terrorism or other forms of criminality.⁶⁶

The above findings also lend credence to the contention that socioeconomic factors such as poverty, unemployment, and high illiteracy rate, not only precipitate and exacerbate conflicts and insecurity,⁶⁷ but also create the environment of deprivation and marginalization, which, too often, encourages the criminality and conflict that sustain insecurity. Moreover, in order to forestall the risk of deprivation and marginalization resulting from negative change in socioeconomic fortunes, groups are likely to engage in conflicts, while individuals gravitate towards varied criminal acts. To mitigate insecurity therefore, the state must look to its socioeconomic framework for credible outcomes. Citizens expect their governments to provide not only political stability, but also socioeconomic security, employment, healthcare and shelter. The non-fulfillment of these legitimate expectations breeds discontentment and social unrest,⁶⁸ which enable insecurity. This is because when these legitimate expectations, which are about the human dignity and welfare of the citizens, are left unaddressed, and the horizon promises no path for advancement, the narratives of radical upheaval and change would appeal to the multifaceted sense of grievances of many a citizen.⁶⁹ Indeed, the message of social change or a ‘bigger picture’ can easily be tailored by recruiters in recruiting into criminality citizens who are otherwise disillusioned by the apparent injustice and deprivation in the society, by presenting criminality as a challenge to the status quo and a form of escape.⁷⁰

The above illustrates the inextricable linkage between human rights protection and national security. The linkage reinforces the proclamation in paragraph 3 of

⁶⁴ UNDP (n 53) 41

⁶⁵ As above.

⁶⁶ As above.

⁶⁷ JB Laggah, J Allie & R Wright ‘Sierra Leone’ in Adedeji (n 59) 174.

⁶⁸ Agbakwa (n 52) 43.

⁶⁹ UNDP (n 53) 86.

⁷⁰ As above.

the preamble of the Universal Declaration that it is essential, if people are not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law. The linkage further accentuates the need for the state to guarantee and realize all human rights for all citizens.⁷¹ Indeed, the UN Secretary-General has affirmed that the deepest causes of conflict are unfulfilled basic needs.⁷² Accordingly, a state where socioeconomic rights are neglected would not only be unstable, but would also be unable to realize civil and political rights.⁷³ As has been contended, civil and political rights would continue to sound hollow for the majority poor, rural, and illiterate Nigerians, unless they are empowered educationally and their living standards improved.⁷⁴ Little wonder therefore, the African Charter on Peoples' and Human Rights (African Charter) proclaims that the satisfaction of socioeconomic rights is a guarantee for the enjoyment of civil and political rights.⁷⁵

The basic strand in the discussion in this section is that human security, because it obviates the necessity for citizens to rely on self-help by seeking extra-legal means of improving the quality of their lives, is a critical component of national security. Human security is about the welfare needs of citizens, and hence it is also about social justice, since it requires the government to meet its social contract obligations to citizens. Where there is no effective protection of socioeconomic rights or a viable legitimate means of making legal claims against the state to redress perceived socioeconomic injustices, people are wont to gravitate to extra-legal channels for solution. This is consistent with the findings of the UNDP that the 'journey to extremism is significantly marked by a fractured relationship between state and citizens' and that 'a sense of grievance towards, and limited confidence in, government... is associated with the highest incidence of recruitment to violent extremism.'⁷⁶ Such citizens, whose life experience is shaped by the context of multidimensional poverty, neglect, and political marginalization, who are disaffected with government because they believe that government only looks after the interests of a few, who have a low degree of confidence in the potential for democratic institutions to deliver progress or positive change, develop an attitude of deep-seated pessimism with, and an alienation from, the nation-state. If this tide is to be turned, then 'beyond simply holding elections, wider commitment to building

⁷¹ In the words of art 2 of the Universal Declaration 'Everyone is entitled to all the rights and freedoms set forth in this Declaration, without discrimination of any kind.'

⁷² Report of the Secretary-General on the Work of the Organization, an Agenda for Peace: Preventive Diplomacy, Peacemaking and Peace-Keeping, UN GAOR at 4 U.N. Doc. A/47/277/S/24111 (1992).

⁷³ Copenhagen Declaration on Social Development and Programme of Action of the World Summit for Social Development at para 5 UN Doc A/CONF 166/9.

⁷⁴ UO Umzurike *The African Charter on Human and Peoples' Rights* (1997) 41

⁷⁵ Para 8 of the preamble.

⁷⁶ UNDP (n 53) 68.

an inclusive social contract between government and citizens is a critical means of establishing resilience to violent extremism.⁷⁷

In context, there is an imperative for Nigeria to implement socioeconomic rights for its citizens. The urgency of action is hinged on the peculiar socioeconomic context of the country, where the vast majority of the population is facing the struggle for existence in its brutal multidimensionality. Hence, for Nigeria, the principles and practices of human rights must include genuine mechanisms for implementation of socioeconomic rights, such as right to work and to a living wage, right to shelter, right to health, right to education, and the other similar rights, which can mean something for the people fighting to survive the excruciating burden of poverty.⁷⁸ Accordingly, there is the need to interconnect the promotion of human rights with the promotion of human security, and to ensure that socioeconomic rights are no longer relegated to irrelevance and insignificance.⁷⁹ Such approach is fundamental to ending insecurity, and consistent with the imperative of human development. In delineating the need for implementation of socioeconomic rights as instrumental to the enjoyment of civil and political rights, Chief Justice Reynato Puno of the Supreme Court of Philippines, said thus:⁸⁰

Indeed, in countries where the task of maintaining body and soul together is getting more and more to be a mission impossible, man's efforts should be focused in enhancing the socioeconomic rights of the vulnerable in our society. For what good is not being arrested if one is already incarcerated by the prison of poverty? What good is freedom of expression if the only ideas you can mumble are words begging for food? What good is freedom to think on the part of the ignorant who is even ignorant of his ignorance? What good is the right to property to him who is shirtless, shoeless, and roofless? What good are political and civil rights to those whose problem is how to be human?

4. Advancing Socioeconomic Rights as a Peace and Security Strategy in Nigeria

It has been contended that incompleteness is a crucial shortcoming of the extant dominant security and peace-building strategies in Africa, Nigeria inclusive.⁸¹ For one, the strategies fail to account for all the basis of dissatisfaction in the country, and consequently, they are insufficient in tackling insecurity from its roots. Furthermore, the strategies do not reflect the viability of socioeconomic

⁷⁷ UNDP (n 53) 80.

⁷⁸ C Ake (JO Ihonvbere ed) *The Political economy of crisis and underdevelopment in Africa: selected works of Claude Ake* (1989) 84.

⁷⁹ F Falana *Nigerian Law on Socioeconomic Rights* (2017) 10.

⁸⁰ Philippines Supreme Court 'Socio-economic rights and globalisation' <http://sc.judiciary.gov.ph/speech/socio-economic.htm#> (accessed 12 January 2024).

⁸¹ Agbakwa (n 52) 62.

rights as a grievance remedial mechanism. It is logical that such incomplete and therefore, deficient strategies, would fail in addressing the root causes of insecurity, let alone producing sustainable solutions thereto.

The sure way to produce effective and sustainable solutions to the challenge of insecurity in Nigeria is to address it from the root cause, hence the need to pay attention to the issue of human security. Human security can be achieved through implementation of socioeconomic rights for citizens. This is because socioeconomic rights implementation ensures not only that the basic needs of citizens are met,⁸² but also that the standard of living of citizens is enhanced in such a way that they are able to live dignified lives- the kind of lives they have reason to value; to do and to be all they want to do and be.⁸³ In context therefore, socioeconomic rights implementation enhances the cause of social justice. Indeed, it has been asserted that for a human to be considered whole, he must be able to enjoy both civil and political rights, and socioeconomic rights, in a generalized context. The basis for the assertion is that these rights ensure that daily physical existence is not under a threat of predictable extermination by hunger, disease, or conflict.⁸⁴ For this reason, we can advance realization of socioeconomic rights as a key strategy for the Nigerian state to adopt in its quest to effectively and sustainably attack the root cause of the prevalent and persistent strife, insecurity and conflict in the country.

How can the realization of socioeconomic rights contribute to security and peace-building in Nigeria? By empowering the people, and providing them with a viable mechanism for redressing perceived and real socioeconomic grievances, enforceable socioeconomic rights obviate the necessity of citizens seeking extra-legal means of self-help to improve their quality of life.⁸⁵ Secondly, a system of enforceable socioeconomic rights will concomitantly be utilised for review of executive policies and decisions, thereby engendering accountability and good governance. This leads, on a third point, to improvements of living standards of the citizens, the governance processes and institutions, as well as enhancement of the legitimacy of the state viewed from the social contract prism. Concomitantly, because the state is responsive to the quality of life of citizens, and is seen as legitimate, it would be accepted as relevant to the lives of the citizens. With such an attitude from the citizens, and

⁸² PS Streeten 'Basic needs: premises and promises' 1979 *Journal of Policy Modeling* 136.

⁸³ A Sen *Development as Freedom* (1999) 75: Poverty is not merely deprivation of income to afford a basket of wants or needs, but deprivation of the capability of a person to be and do what they want to be or do ('functionings').

⁸⁴ J Oloka-Onyango 'Human rights and sustainable development in contemporary Africa: a new dawn, or retreating horizons? 2000 (6) *Buffalo Human Rights Law Review* 44.

⁸⁵ Agbakwa (n 52) 58.

such a situation of the government, there is bound to be harmony and stability in the state.

Again, socioeconomic rights implementation as a social justice tool can lead to redistribution of resources, and consequently, of socioeconomic and even political power within the state. This would effectively even out the effects of abuse of power in the polity, and in so doing, many people can be able to assert their dignity, free from the arbitrary discretion of politicians of the day.⁸⁶ Accordingly, it is our argument that such a tendency would serve to enhance the prospects of the legal system as a tool for redressing socioeconomic inequality, and thereby engender a more just, and equitable society. A society where citizens are able to lead the kind of lives they have reason to value- a life of dignity, where they are able to live to their full potentials. Indeed, where more citizens are socioeconomically empowered by the redistributed power, the state is able to reduce the pool of idle and disgruntled persons that would otherwise be available for recruitments by agents of destabilization.

In view of the foregoing, it is fitting to highlight some of the veritable pathways for socioeconomic rights implementation in Nigeria. The first is constitutionalization. A country's constitution is its prime domestic instrument to express agreed values.⁸⁷ The Constitution of Nigeria professes that the country is a state based on the principles of democracy and social justice,⁸⁸ and declares the security and welfare of the people as the primary purpose of government.⁸⁹ Accordingly, it stands to reason that socioeconomic-rights, being at the heart of the principles of democracy, social justice, security, and welfare, are pre-eminent values in Nigeria. But, this is more in theory than in practice, as when it matters, the Constitution of Nigeria bailed on socioeconomic rights, by declaring the category of rights as non-justiciable, but as mere directives of state policy.⁹⁰ This is contrasted with the pre-eminent position the Constitution of Nigeria granted to civil and political rights, which it guarantees as judicially enforceable rights.⁹¹ The significance of constitutionalizing socioeconomic rights is that it would emplace on the government a pre-eminent obligation to implement the rights, and a mandate on the courts to enforce this obligation. Again, it has the effect of widening the scope of constitutional justice to issues of citizen welfare, while also placing a positive duty on the state to alleviate socioeconomic disadvantage.

⁸⁶ (n 52) 61.

⁸⁷ NJ Udombana 'Keeping the promise: improving access to social and economic rights in Africa' 2013 (18) *Buffalo Human Rights Law Review* 144-145.

⁸⁸ Sec 14(1).

⁸⁹ Sec 14(2)(b).

⁹⁰ Sec 6(6)(b).

⁹¹ Sec 46.

A second pathway for implementing socioeconomic rights in Nigeria is legislative action. As democratic participation can enable rational decision-making for law and state to overcome poverty and powerlessness, it is imperative that lawmakers should design laws and implementation processes that empower the majority and enable democratic participation in the development process.⁹² While section 6(6)(c) of the Constitution of Nigeria makes the socioeconomic rights contained in Chapter II thereof to be non-justiciable by the courts, they are not, thereby made ‘non-legislable’ by the legislature. Indeed, under the ICESCR, one of the primary obligations of states is to adopt ‘legislative measures’ to give effect to socioeconomic rights.⁹³ Similarly, article 1 of the African Charter provides for the basic obligation of state parties to ‘adopt legislative and other measures to give effect’ to socioeconomic rights. Nationally too, section 13 of the Constitution of Nigeria stipulates that is the duty of all organs of government, and all authorities and persons, exercising legislative, executive or judicial powers, to conform to, observe and apply the socioeconomic provisions of chapter II thereof. In view of these provisions, aspects of socioeconomic rights such as health, education, housing, food and water, employment, social security, could be legislated through development-oriented laws as a response to the multifaceted human development challenges in the country. Moreover, through legislative oversight and investigative activities, designed as checks and balances in the democratic state, the legislature can help direct executive policy implementation towards the ends of socioeconomic rights.

A third pathway is executive action. Given its competency and capacity, the executive branch of government is, perhaps, on the best pedestal to deliver socioeconomic rights in Nigeria, by giving life to socioeconomic rights norms. For if socioeconomic rights are to be of any relevance to the masses, they require effective and urgent translation from conceptual norms to concrete legal entitlements.⁹⁴ Accordingly, there is the need for the executive to be responsible, to be aware of its obligations, and to be able and willing to act accordingly. The executive should advance development planning that has implementation of socioeconomic rights at its crux. Such planning, alive to Nigeria’s human rights obligations under international law, would be rights-based, and targeted towards Nigeria’s attainment of its commitments under the New Partnership for Africa Development,⁹⁵ Agenda 2063,⁹⁶ and the Sustainable

⁹² A. Seidman ‘Participation and the Law’ *Third World Legal Studies* (1993) 2.

⁹³ Art 2(1).

⁹⁴ As above.

⁹⁵ The New Partnership for Africa’s Development (NEPAD) is a pledge by African governments to eradicate poverty and to place their countries on a path of sustainable growth and development. It is a pledge to promote peace and stability, democracy, sound economic management and people-oriented development. Aiming to sustainably achieve its aims, the AU has transformed the NEPAD into an institutional structure as

Development Goals.⁹⁷ Nigeria's current national development plan is the Medium-Term National Development Plan 2021-2025 (MTNDP).⁹⁸ Complementing the MTNDP is the National Poverty Reduction and Growth Strategy (NPRGS)⁹⁹. The major challenge is to translate the MTNDP and NPRGS into gains for Nigerians. This is crucial to the concern of security, for as found by the UNDP study, economic factors - such as unemployment, frustration at the economic circumstances and multidimensional poverty- are a critical component of the overall incentives and drivers leading to recruitment into criminality.¹⁰⁰ Accordingly, the programming efforts of the executive should result in economic regeneration of risk areas, upgrading of infrastructure, access to markets and financial services, removal of obstacles to entrepreneurship, and provision of livelihood, life-skills, entrepreneurship and social cohesion support.¹⁰¹

The fourth pathway is the judicial action. International human rights law obliges Nigeria to provide effective remedies and redress for violations of socioeconomic rights. The role of the Nigeria judiciary therefore, is to ensure that the country lives out its obligations to fulfill socioeconomic rights beyond what the political organs are prepared to concede on their own. This is more so that the concept of an obligation may lose much of its force if there is no notion of sanction for failure to comply. Again, citizens can be genuinely assuaged if they feel that there exists a mechanism to vent out their socioeconomic grievances. Although, the Constitution of Nigeria makes socioeconomic rights in chapter II thereof to be non-justiciable, yet, through judicial activism, the Nigerian judiciary can produce instrumental gains in the quest for socioeconomic rights implementation in the country. For, as was suggested:¹⁰²

Courts could interpret relevant enforceable civil and political rights to include relevant socioeconomic rights . . . the right to dignity of the human person could be interpreted to mean the right to an adequate standard of living. There

the African Union Development Agency- New Partnership for Africa's Development (AUDA-NEPAD): <https://www.nepad.org/>.

⁹⁶ Agenda 2063 is Africa's plan for socioeconomic transformation within 50 years (2013-2063): <https://au.int/en/agenda2063/overview> (accessed 15 March, 2022).

⁹⁷ The Sustainable Development Goals (SDG), based on the UN's 2030 Agenda for Sustainable Development is the international community's shared blueprint for peace and prosperity for people and the planet, now and into the future: <https://sdgs.un.org/goals> (accessed 15 March 2022).

⁹⁸ National planning: https://nationalplanning.gov.ng/wp-content/uploads/2021/12/NDP-2021-2025_AA_FINAL_PRINTING.pdf (accessed 20 July 2022).

⁹⁹ National planning: https://nationalplanning.gov.ng/wp-content/uploads/2021/08/NPRGS-Final_23April-2021.pdf (accessed 20 July 2022).

¹⁰⁰ UNDP (n 53) 91

¹⁰¹ UNDP (n 53) 92

¹⁰² M Lawan 'Law and development in Nigeria: a need for activism' (2011) 55 *Journal of African Law* 81-2.

is evidence of this activism from India, for instance, from which Nigeria could take inspiration. In the case of *Olga Tellis v Bombay Municipal Corporation*, the court expanded the meaning of right to life to cover the right to a means of livelihood . . . Such activism in Nigeria finds support in the fact that the African Charter on Human and Peoples' Rights, which contains similar socioeconomic rights, has been domesticated in the country

Fifthly, Nigeria can implement socioeconomic rights for its citizens by developing and implementing a veritable social welfare policy. Cumulating the rationale and significance of sections 14, 16, and 17 of the Constitution of Nigeria, it is found that Nigeria is a state based on the principles of democracy and social justice. The projected and desired expectation is a state where security and welfare of the people is the primary purpose of government, and whose social policy is, among others, directed towards harnessing the country's resources for the benefit of its citizens. Along this direction, the government would produce and implement a sustainable mechanism for promoting national prosperity, securing the maximum welfare of citizens, and ensuring that suitable and adequate shelter, healthcare, and food is provided for citizens. Essentially, Nigeria is a welfare state obligated to adopt social protection policy. The Nigerian Social Protection Policy (NSPP)¹⁰³ defines social protection as a mix of policies and programs designed for individuals and households throughout the life cycle, to prevent and reduce poverty and socioeconomic shocks, by promoting and enhancing livelihoods and a life of dignity. In view of the fact that social protection is now globally reckoned as a viable policy framework for addressing poverty, socioeconomic vulnerabilities, inequality and exclusion,¹⁰⁴ social protection in Nigeria, is relevant to engendering citizens' right to a life of dignity, and in promoting human development.

Sixthly, Nigeria can implement socioeconomic rights for its citizens and thereby achieve national security by reinvigorating state legitimacy through improved governance performance and accountability. As the UNDP research notes, the importance of state legitimacy to delivering peace-building and state-building objectives is well established globally, and reflected in SDG 16, which calls for the promotion of peaceful and inclusive societies for sustainable development, access to justice for all, and effective, accountable and inclusive institutions at all levels.¹⁰⁵ The challenge is for the Nigerian government to upgrade the quality and accountability of its institutions across service delivery areas, to deepen the democratic institutions and processes, to commit to an inclusive social contract with the citizens, and to create genuine opportunities for civic engagement and

¹⁰³ National social safety-nets coordinating office: <http://nassp.gov.ng/revised-draft-national-social-protection-policy/> (accessed 22 July 2022).

¹⁰⁴ F Merrien 'Social protection as development policy: a new international agenda for action' (2013) 4.2 *International Development Policy* <https://doi.org/10.4000/poldev.1525>.

¹⁰⁵ UNDP (n 53) 87.

participation in the national development agenda. In particular, there is the need to amplify the effectiveness of anti-corruption institutions and processes so as to contain the menace of corruption ravaging the country. If this is not done, embezzlement and misappropriation of public resources would continue to sabotage the efforts of governments at translating the availability of resources to improved quality of life for citizens.

Finally, the civil society, as the channel of popular responses, and a major analytical paradigm in politics, has a key role to play in the implementation of socioeconomic rights in Nigeria. The civil society is central to overcoming Nigeria's human development challenges,¹⁰⁶ and can employ tools such as advocacy, lobbying, investigation, monitoring, reporting, strategic litigation, protest, mass mobilization, and political engagements, towards the ends of socioeconomic rights. The civil society is well suited organizationally, materially, and ideologically, to act as the centerpiece of the civil movements and protests for change. The civil society gives human rights issues both attention and notoriety.

5. Conclusion

It has been asserted that the greatest benefit of guaranteeing enforceable socioeconomic rights is the assurance it gives to people that effective mechanisms for adjudicating violations or threatened violations of the rights are available.¹⁰⁷ As the separatist agitations and violent attacks by unknown gunmen in south-east Nigeria, violent communal clashes in central Nigeria, terrorism and banditry in northern Nigeria, among other security challenges currently bedeviling the country have revealed, the absence of a viable mechanism for addressing socioeconomic grievances gives the impression that resort to extra-legal means of criminality is a veritable path towards improving one's socioeconomic condition or otherwise challenging government's neglect of its socioeconomic obligations.

In context, the insecurity bedeviling Nigeria can be understood as a fight against poverty, deprivation and destitution in the face of governmental inaction and neglect. It is a result of decades of impoverishing neglect, and the absence of other viable means of compelling meaningful change. The government has the constitutional obligation to meet the basic needs of citizens, and in the absence of a proper forum to compel it to action, there is a growing tendency for some citizens to demand results in militant terms. Accordingly, the insecurity reflects poverty, unemployment, and ineffective and insensitive socio-political and economic systems. It was therefore, the assumption of this study that effective implementation of socioeconomic rights by the Nigerian state could greatly accentuate the prospects of human development in the country, and concomitantly, of peace and security.

¹⁰⁶ Udombana (n 87) 186.

¹⁰⁷ Agbakwa (n 22) 181.

In view of the inter-link between human development, security and socioeconomic rights, it is high time Nigeria moved away from the theory of socioeconomic rights onto its practice. While the development of socioeconomic rights jurisprudence relies on a greater appreciation of human dignity, the advancement of human dignity is a matter of social justice. Accordingly, social justice, which advances human dignity, and is achievable through implementation of socioeconomic rights, is an essential component of the modern state, Nigeria inclusive. The challenge is how to develop a substantive socioeconomic jurisprudence and implementation mechanism within the institutional and constitutional abilities of the Nigerian state, which can give teeth to socioeconomic rights as legal claims.

While the Nigeria state may be lethargic to fully implement socioeconomic rights on the excuse of cost or resource constraints, the appropriate question to ask is not ‘what is the cost of implementing socioeconomic rights?’, but ‘what is the cost of *not* implementing socioeconomic rights?’ If this proper question is asked, it would become apparent that socioeconomic rights deserve implementation not only because the state has the legal obligation to do so, but even more, because socioeconomic rights, as economic stabilizers, serve to protect the most vulnerable from falling into poverty, and can spur economic buoyancy, thereby creating both a safety net and a sense of communal belonging. The net result is social inclusiveness or social cohesion, and a productive workforce in place of socioeconomic morbidity and social unrest. Implementing socioeconomic rights is not much a favor to the poor than it is to the state - the existence and the stability of the state depends on it!

In context therefore, the promotion of a rights-based approach to development in Nigeria is not merely a legal question or a question of justiciability; it is more importantly, a moral question, a question of justice, and a practical question, upon which revolves the legitimacy and viability of the Nigerian state. Efforts by the state to address poverty should not be seen as acts of charity, but as a legally binding constitutional and human rights obligation. Government must understand that implementing socioeconomic rights doubles as the means and end of attaining both human and national security, and that so doing is as beneficial to the people as it is to the state.