

Contemporary Issues and Researches on Adolescents



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Adolescents, Poverty and the Constitution

R. Bukola Akinbola

Introduction

The Adolescent has been defined as a person growing and who is at the stage between childhood and maturity¹. He is also defined as the person who is no longer a child but is not fully an adult².

The Advanced Learner's Dictionary puts the age bracket at between 12 and 13 to 20 years of age. Adolescence has been defined as that age which follows puberty and precedes the age of maturity³. Going by all the foregoing definitions, it is clear that the adolescent is a person who is at a stage of life when he is normally financially dependant either upon parents or guardians, for provision of means of livelihood. The Adolescent by his stage in life is either going through training, apprenticeship or pursuit of educational qualifications. The financial fortunes of the adolescent are, therefore, tied to those of the adults who are responsible for him or her. If the parent or guardian of such adolescent is rich, it invariably follows that he will be well supplied with adequate material resources whereas, if the parent or guardian of the adolescent is poor, then invariably, the adolescent's fortunes in life at that stage, are adversely affected unless he has some other means of supply other than what comes from his parents or guardians. Such extra supplies could emanate from scholarships or sponsorships of some sort. Since the adolescent is not yet an adult and he has outgrown being a child, it is important to examine his status, his resourcefulness, his potentials, how he is affected by poverty in society and what constitutional provisions there are in the 1999 Constitution, that affect the fortunes of the adolescent. Thus, poverty will be examined and how it affects the

¹ Advanced Learners Dictionary 2nd ed. 1973

² The New Webster's Dictionary of the English Language 1993 ed.

³ Black's Law Dictionary, 6th ed. 1991

adolescent in society and then the relevant Constitutional provisions will be considered.

Poverty in perspective

Poverty, like most other concepts, is not without its share of definitional problems. Sometimes, poverty is better described in terms of its qualities, rather than its definition per se. The Ninth Report on the Development Policy of the Federal German Government,⁴ for instance, states that people affected by poverty are unable to "lead a decent life" (BMZ 1992, 13)⁴. The same report also states that,

Poverty means not having enough to eat, a high rate of infant mortality, a low life expectancy, low educational opportunities, poor drinking water, inadequate health care, unfit housing and lack of active participation in decision making processes.

Although the foregoing list is quite a wide one, capable of acceptance by most discussants on poverty, it is still neither an exhaustive list nor can it claim universal acceptance. The term poverty is a relative term, having different manifestations and scope, depending on individual context. An analysis of poverty typically differentiates between absolute and relative poverty⁵.

Absolute poverty exclusively refers to the situation of particular individuals without any comparison being made between them and others. It is considered to exist when the lives of those concerned are impaired by physical or socio-cultural deficiencies⁶. If physical human subsistence (expressed in terms of nutrition, clothing and housing) is not guaranteed, this is termed as primary absolute poverty. It is secondary absolute poverty to be excluded from participation in normal social life. Relative poverty, on the other hand, exists when the subjects in consideration are "poor" in relation to "others".

With this background, the average Nigerian adolescent qualifies to be considered both as absolutely and relatively poor. Most adolescents whose fortunes depend on those of a parent or guardian, whose income does not adequately suffice to guarantee the provision of good nutrition,

⁴ BMZ (Ministry for Economic Cooperation and Development) Ninth Report on German Government Development policy, Bonn 1992

⁵ United Nations Development Programme (UNDP) 1990: Human Development Report 1990, New York-Oxford.

clothing, decent shelter, or good education, no doubt qualify to be described as poor. A compromise definition describes poverty as a state where an individual is not able to cater adequately for his/her basic needs of food, clothing and shelter; he is unable to meet social and economic obligations, lacks gainful employment, skills, assets and self esteem; and has limited access to social and economic infrastructure such as education, health, portable water and sanitation; Consequently he/she has limited chances of advancing his/her welfare to the limit of his/her capabilities. It is no wonder that poverty has been described as a plague affecting people all over the world and a vicious circle, since the fortunes of one generation of people, usually affect those of their successors. According to Schuabe (1984, 88),⁶ secondary (absolute) poverty can also mean "Exclusion from participation in normal social life"^{6a} "In other terms, the non-attainment of a minimum level of conventional social or cultural existence is described as secondary (absolute) poverty. While some factors like skill and self esteem are highly subjective criteria, it is not difficult to identify when a person is not adequately supplied with food, shelter and education.

In Nigeria, the economy has had to contend with the adverse global economic environment created by oil shocks, world recession, deteriorating terms of trade, excessive importation or import dependency and debt over hang.

The Adolescent Nigerians fall squarely within the group that is most vulnerable to the effects of poverty which will also be considered in the course of this paper. Before examining these effects, however, we shall briefly into the yardsticks for determining whether a group or person is poor or not.

Measurements of Poverty

There are different criteria by which the poor is differentiated from the non-poor. In this work, the World Bank criteria have been adopted. Each of the criteria will be discussed in the light of the relevant Constitutional provisions as contained in the 1999 Constitution of the Federal Republic

^{6a} Ibid

of Nigeria. Basically, these provisions will be drawn from Chapters II and IV of the Constitution which deal with the Fundamental Objectives and Directive Principles of State Policy and the Fundamental Human Rights Provisions respectively.

If poverty is to be based on the subsistence criteria, the standards of the World Bank help to specify the "borderline values" for dividing poor from non-poor. The World Bank applied the following standards for the "hard" i.e. material basic needs⁷.

The World Bank has placed the criteria in this order

- **Nutrition:** Nutrition should be adequate and balanced and comprise c.2, 350 Kcal per day.
- **Health:** Concerted action should be taken by health services to reduce or eliminate the most widespread illnesses. In addition, there should be maternity and child welfare services available, as well as nutrition and hygiene advice centres.
- **Accommodation/Housing:** Housing should provide people with permanent protection from climatic and other environmental influences.
- **Drinking Water:** - In urban areas, uncontaminated drinking water should be available at a distance of no more than 200 metres. In rural areas, the collection of drinking water should not take an excessive time.

The standard values mentioned above are to be seen as average values, irrespective of country, culture, family, sex or other personal characteristics. These standards do not represent the most ideal, but mere averages.

- **Basic Education:** It should be functional, flexible and cost effective and enable the provision of education for children, adolescents and adults.

Without attempting too much technical details, another method for determining poverty, is the income criteria. The poverty of a country could be described in terms of the number of people whose income fall below the minimum income level. Alternatively, there is the "poverty gap" which

⁷ Olden bruch, G. (1978): Zur strategie der Erfullung von Grundbedurfnissen, Bad Honnef, 22

presents the poverty of a country in contrast to merely the number of people who are "poor". It contains information about the number of persons below the poverty line and also about the average income level below the poverty line.

Poverty may be accounted for by several factors, the details of which are outside the scope of this work. Nonetheless, some of the factors that lead to the poverty of a nation are also responsible for the poverty of individual members of the community.

The political stability or instability of a nation can affect the economy of a nation and, accordingly, affect the level of poverty therein. A country that is politically stable will attract both foreign and private investments and such a country will be able to have higher output than a country that is politically unstable. Observance of law and strict adherence to the rules of law are indispensable for the attainment of political stability. This has its basis in upholding the Constitution of the country. The constitution gives sovereignty and confers nationhood to the country itself by section 1 (1) (2), and in particular, section 2 (1)⁸ which state

- (1) Nigeria is one indivisible and indissoluble sovereign state to be known by the name of the Federal Republic of Nigeria.

The pre-amble to the same constitution had stated earlier, "We the people of the Federal Republic of Nigeria, having firmly and solemnly resolved: to live in unity and harmony as one indivisible and indissoluble sovereign nation under God --- Do hereby make, enact and give to ourselves the following constitution:- ...". The intention of the Legislators here, is to ensure that Nigeria has a stable and enabling environment for development. Thus, the legislative framework for national stability is adequately provided by this provision. The national cohesion and harmony that Nigeria requires to be a wealthy nation is legislatively embedded in this provision that establishes Nigeria as an indivisible entity.

The availability of natural resources, how equitably such resources are distributed, the state of industrialization and the level of technological advancement are other factors that determine how poor or how wealthy a nation is. They also depict the potentials of that nation to generate wealth.

The relevant provisions of the Constitution⁹ cited earlier, are intended

⁸ Constitution of the Federal Republic of Nigeria 1999

⁹ Ibid, section 16 (1) (a-d) in particular.

to make Nigeria a wealthy nation. The adolescents are naturally catered for by the provisions also. The economic objectives of Nigeria are stated thus in section 16

- (1) The state shall, within the context of the ideals and objectives for which provisions are made in this Constitution:
 - (a) harness the resources of the nation and promote national prosperity and an efficient, a dynamic and self-reliant economy;
 - (b) control the national economy in such manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity;

If indeed the resources of the nation are harnessed in a manner to promote national prosperity (as against personal enrichment at the expense of the state through corrupt practices by government officials), then the prosperity of the whole nation will lead to the prosperity of individual members of the society part of which are the adolescents. Instead of having a few stinking rich individuals and a vast majority of poverty battered Nigerians, the entire populace will be capable of having modest resources, including the adolescents.

Section 16(2) (b) (c)¹⁰ deal, with the matter of equitable distribution of the national wealth. The section in my view, aims at ensuring that the resources available are distributed in such a manner that the old, the young (adolescents) and even little children are properly catered for. It states in sub-section (2) that: The state shall direct its policy towards ensuring -

- (a) that the material resources of the nation are harnessed and distributed as best as possible to serve the common good;
- (b) that the economic system is not operated in such a manner as to permit the concentration of wealth or the means of production and exchange in the hands of few individuals or of a group; and
- (c) that suitable and adequate food, reasonable national minimum living wage, old age care and pensions, and unemployment, sick benefits and welfare of the disabled are provided for all citizens¹¹.

¹⁰ Constitution of the Federal Republic of Nigeria 1999.

¹¹ Emphasis mine

These provisions place a great burden on the government. It puts an onus upon the government to ensure such even, fair and equitable distribution of wealth and national resources in such a manner that no segment of society is left to suffer, while others get more than their fair share of available resources. The phrase used in section 16 (2) (a) above ----"to serve the common good," is enough basis for the Federal Government to distribute the national resources in such a way that adolescents are well taken care of and removed from the level of poverty into the level of the non-poor. Unfortunately, it is difficult to state that this has been the situation in Nigeria. The restive nature of the youths in the Niger Delta areas of Nigeria (a group made up of mainly the adolescents) is a good pointer to the reactions of youths to obvious injustices in the distribution of national wealth. Oil is mined from the land of the communities to which these youths belong, with the attendant problems of oil pollution of farm lands, fishing waters, air pollution and sometimes consequent displacement of whole communities. Quite unjustifiably, these communities (and invariably these adolescents) have nothing to show for the losses to their land, water and air in terms of social amenities, infrastructure etc. They lack potable water, motorable roads, access to fertilizer at affordable rates {even though the National Fertilizer Corporation of Nigeria (NAFCON) is sited on part of their land) They also lack access to good education or any at all, good health facilities, electricity, etc.

Conversely, these adolescents are witnesses to the rapid social development in the Northern parts of Nigeria, using the resources derived from their land, the unjust application of the quota system in the distribution of educational opportunities etc. This takes place in direct violation of the provisions of the constitution in Section 16 (2) (d) earlier cited and section 17 (1) and (2) which provide:

- (1) The state social order is founded on ideals of Freedom, Equality and Justice.
- (2) In furtherance of the social order
 - (a) every citizen shall have equality of rights, obligations and opportunities before the law;
 - (b) exploitation of human or natural resources in any form whatsoever for reasons, other than the good of the community, shall be prevented;

If these provisions are placed side by side with the World Bank criteria for measuring poverty based on accessibility to good nutrition, accommodation, uncontaminated drinking water, and basic education, it becomes clear that the provisions in the second chapter on the 1999¹² constitution on the Fundamental Objectives and Directive Principles of state policy if properly implemented, are expected to yield the result of prevention of poverty for the adolescents especially, and others in general, minimising poverty or even completely eradicating it from the Nigerian society.

Section 17 (3) (d) states that the state shall direct its policy towards ensuring that there are adequate medical and health facilities for all persons. Needless to say that "all persons" naturally includes the adolescent members of the society. Subsection (3) (f) further makes it the state's duty to ensure that its policies ensure that children, young persons and the aged are protected against any exploitation whatsoever, and against moral and material neglect. In the light of this constitutional provision, one wonders whether such practices like the keeping of young children of adolescent age range as house girls/house boys, is not an unconstitutional act. Such children are not only denied equal opportunity to go to school (as their mates who have rich parents backgrounds) but they are also subjected to child labour, child abuse, exploitations and possible deprivations and neglect. More often than not, their fortune in life at such times is left to the conscience of whoever keeps custody of the adolescent house maid or house boy.

The fundamental human rights of adolescents have also been provided for in the 1999 Constitution.¹³ Being human beings, they automatically qualify to enjoy the rights provided for in chapter IV of the Constitution. As the United Nations Charter on Human and Peoples' Rights, and the African Charter on Human Rights provide, a person needs no other qualification than merely being a human being to qualify to enjoy such rights. In the 1999 constitution, these rights are stated in the 4th chapter to include:

- Right to life
- Right to personal liberty

¹² Constitution of the Federal Republic of Nigeria 1999. The Fundamental Objectives and Directive Principles of State Policy.

¹³ Constitution of the Federal Republic of Nigeria 1999; section 33-46

- Right to fair hearing
- Right to private and family life
- Right to freedom of thought, conscience and religion.
- Right to freedom of expression and the press.
- Right to peaceful assembly and association
- Right to freedom of movement
- Right to freedom from discrimination
- Right to acquire and own immovable property any where in Nigeria etc.

Some of the rights may not be of immediate enjoyment by the adolescent, because of his social status, but those which are of immediate relevance like the right to freedom from any form of discrimination, how much of them do Nigerian adolescents readily enjoy? Practices like child trafficking, directly contravene the right of the adolescent to human dignity or dignity of the human person. Practices like the house girl, houseboy trade also contravenes the rights of the adolescent to dignity, liberty, and in particular, to his right of freedom from discrimination. More often than not adolescents who are used as house helps do not have a choice in it, nor are they integrated into and treated equally with other young persons of their age in the household where they serve as helpers. They are often treated like slaves, but not so called.

This paper will be incomplete without a consideration of some of the effects of poverty on the adolescent.

Effects of Poverty on the Adolescent

'A hungry man, is an angry man' is an adage that very much describes many Nigerian adolescents. Being deprived of basic life necessities by poverty, many adolescents exhibit aggression and poor social dispositions. There is the rebellious attitude to parental and other authorities, borne out of lack, which is easily observable among adolescents, especially those who grow up in squalors and over-populated, poverty-ridden areas. Consequent upon the foregoing, there is a wider spread of the pandemic or epidemic of the killer disease HIV/AIDS among adolescents, sometimes referred to as youths.

Adolescents are thus predisposed to violence, due to lack of basic provisions of good nutrition, shelter and healthcare. This aggression has manifested in the high rate of armed robbery (committed by adolescents) case, cultism, rape and other sexual abuses, drug abuses and a host of other anti-social behaviours which are common among Nigerian adolescents, especially those found in poverty-ridden and overpopulated environments. These which are only a few of the effects of poverty on adolescents.

"Evidence of progressive decline in the health condition and survival chances of Nigerians is reflected in the health statistics and reports. For example, maternal mortality rate is more than 1,000 per 100,000 live births while infant mortality escalated from 85 per 1000 live births in 1990 to 206 per 1,000 live births in 1999. Immunisation against the six child-killer diseases dropped precipitously from 80 percent in 1990 to 15 percent in 1999 and life expectancy fell from 54 years in 1990 to 43 years in 1999"¹⁴

These statistics clearly depict the state of health of most Nigerians. It portrays clearly, the impact that poverty alongside with misplaced priority and other forms of poor governance are having on the health status of Nigerians and, most especially, the young. Worse still, the HIV/AIDS virus is fast gaining an epidemic status in Nigeria as shown in the following statistics:

"Meanwhile, the country is on the precipice of an HIV/AIDS disaster as the epidemic rages unhindered, from a prevalence rate of 1.8 percent in 1991, to 5.4 percent in 1999, translating to 2.6 million people living with HIV/AIDS (PLWHA).¹⁵

The report further makes a projection of the likely state of many Nigerians in relation to the disease:

"From this point, it will increase at an exponential rate. It is estimated that 4.9 million Nigerians will be infected with the HIV virus by year 2004 (FMOH)"¹⁶.

It is notable that a bulk of the Nigerian population that is being affected by HIV/AIDS is the adolescent population. This is generally the trend all

¹⁴ Center for the Right to Health (CRH) 2001 : Experience of people living with HIV/AIDS in Nigeria . p2.

¹⁵ Ibid p.2

¹⁶ Federal Ministry of Health, Nigeria (1999) : National Policy on HIV/AIDS control.

over the world to which Nigeria is not an exception The "Save the Children, a non- governmental organisation, helps children to protect themselves from HIV/AIDS and deal with the impact of the virus by tackling poverty which is one of the main causes of HIV/AIDS - by helping families to improve their incomes and campaigning for fairer economic policies and better health and education services for children. . ."17

It has been statistically established that many Nigerians are HIV positive, and a large percentage of them are youths or adolescents, since the group referred to as youths are mainly made up of adolescents. Reports of research findings such as the one cited above, are educative on this claim. It is also not a surprise that there is a higher proportion of adolescents who are affected by HIV/AIDS virus because of the natural tendencies of these young persons, to explore and discover their sexuality, largely in the context of exuberance and ignorance. The role of sex education and awareness is thus very vital to the protection of adolescents.

HIV/AIDS and Poverty

As Save the Children continues to tackle HIV/AIDS in over 30 countries of the world, it has tried to explain the prevalence of the disease in Africa by answering a question it asked in its publication titled :- Targeting HIV/AIDS - Beat poverty¹⁸

Why is HIV/AIDS such a big problem in Africa?

"HIV/AIDS is closely linked to poverty, and many of the poorest countries in the world are in Africa. Two decades of conflict across Africa have also led to an increase in the spread of HIV because of the breakdown of health, education and child protection services. Certain cultural practices, like ritual scarification and female genital mutilation, can also contribute to the spread of HIV/Aids."

There is no doubt that the adolescents and children, who are the future, adults and leaders, are the worse hit by this trend. The 'Save the children'

¹⁷ Save the Children (An International Non-Governmental Organization, based at 17 Grove Lane, London SE5 8RD United Kingdom) www.savechildren.org.uk.

¹⁸ Ibid p.9

has these statistics to show that adolescents the world over are the worse hit by the HIV/AIDS, and especially so, in Africa.¹⁹

- An estimated 2.7 million children under 15 are living with HIV/AIDS
- By 2010, there'll be 44 million children under 15 who've lost one or both parents to AIDS.
- About half of all new HIV infections are in the 15-24 age group²⁰.

The role of poverty in the preponderance of HIV/AIDS is a matter of great concern in Africa at large, and in Nigeria in particular. It is submitted that if the menace of HIV/AIDS is to be successfully curtailed, poverty must first be squarely addressed. For so long as poverty, (whether real or artificially created by poor distribution of wealth as in the case of Nigeria) continues unabated, so long will HIV/AIDS continue to ravage the populace and endanger the future of Nigeria as a whole, and in particular, the adolescent population.

'Early childhood matters'²¹ makes a good link between poverty in children and their prospects in life. The same link is true of the adolescent who is poor. Sometimes in fact, the adolescent is referred to as a child for some practical purposes. Childhood matters states:

'Because children suffer the most from poverty, the fight against it must begin with them. This includes investing in social services that benefit the poorest children and their families, such as basic health care, early childhood programmes and primary education. At the same time, the well-being of children must be a priority objective of debt relief programmes, development assistance and government spending...; The unhealthy conditions and stress associated with poverty are accompanied by inequalities in early development and learning. These inequalities help to maintain or magnify existing economic and social inequalities. In a vicious cycle, children from families with few resources often fall quickly and progressively behind their more advantaged peers in their mental development

¹⁹ Ibid p.10

²⁰ The implication of this is that adolescents are a prime target of the HIV/AIDS disease as fuelled by poverty.

²¹ The Bulletin of the Bernard Van Leer Foundation - The Hague, the Netherlands. Also on website www.bernardvanleer.org June 2001 No. 98:29.

and their readiness for school and life, and that gap is then increasingly difficult to close²².

The same things that describe children above accurately describe adolescents in Nigeria, who are poor. It is a matter of the rich getting richer while the poor are getting poorer! The children and adolescents who have good financial base attend the best of schools, acquire good qualifications, while their peers who are poverty-ridden contend with retardation in growth and mental development, sicknesses, early death, etc. and if they manage to survive at all, then end up serving their richer peers.

If the pandemic of HIV/AIDS continues at the present rate, there is a terrible doom awaiting the nation. The adolescents of today will form the adult population of tomorrow and, therefore, the future leaders and productive population of the nation tomorrow. If the same category of persons is left to be endangered by the scourge of HIV/AIDS as triggered by poverty, it means the future of the nation is not certain. Indeed, it appears gloomy.

Poverty therefore, poses a great challenge to the Nigerian nation both now and in the future. The dangers of poverty are beyond economic considerations. The state security, the social life, and indeed the integrity of Nigeria, are all at stake in the face of continued poverty confronting the Nigerian adolescent.

Recommendations

Poverty must therefore be prevented, minimised and ultimately eradicated from the nation generally and in particular, as it affects the adolescent population. There is no alternative to tracking down poverty and its effects in the lives of adolescents, in view of its serious implications on the adolescents. It does not only affect the present, but it also endangers the future of the nation. Failure to deal lawfully and decisively with poverty is capable of preventing Nigeria from attaining its full potentials by endangering the adolescent population which is the future adult population of Nigeria. Poverty must therefore be dealt with in a constitutional manner. The entire might of the constitution which is the supreme law in Nigeria, must be applied to eradicate poverty. Some of the ways to do this are given below:

²² Emphasis mine.

- a. Equitable and just distribution of available national resources. The case of injustices affecting the oil mining areas of Nigeria must be addressed. Justice demands equitable distribution of national wealth.
- b. Ensuring a stable polity, especially by upholding democratic governance as provided for in the 1999 Constitution. This is the only way to provide an enabling environment for wealth generation and utilization with maximum benefits.
- c. Job creation by the government and the private sector in keeping with the provisions of Chapter II of the 1999 Constitution on the Fundamental Directive Principles of State Policy. "An idle hand is a ready tool in the hands of the devil" goes an adage. Adolescents need to be profitably and positively engaged. That way, they will not be available for anti-social activities that endanger their lives now, and dim their potentials for the future.
- d. New social orientation that is based on the dignity of labour and productivity, as against hero worship of rich members of society, who are not known to have any honest means of livelihood.
- e. Accountability by government, its officials and other members of the public in keeping with the ethics of democracy around the world.
- f. Higher investment in the education of adolescent by government and the private sector. The art of governance is made easier with an educated populace, rather than with illiterates. Reasoning and dialogue are more appealing as instruments of dispute resolution in contrast to violence. It is submitted that uneducated person is more disposed to violence as a means of dispute resolution than the educated person. Education is, therefore, a worthwhile investment in the adolescent Nigerian.
- g. Discouragement of rural to urban drift and over-population, which is also a great problem in Nigeria. There must be accurate census figures and adequate National Planning for increases in population, especially in education. Over population is a factor that enhances loose and immoral behaviours. Such "immoral climates" are, also, closely associated with the spread of HIV/AIDS. It is therefore important to discourage rural-urban drift and over population.

- h. Better provision of social facilities, health services good road, housing schemes, and other necessities of life. The absence of such social welfare facilities and services have negative impacts on the adolescent, as earlier discussed.

Conclusion

In conclusion, Nigeria must aspire to attain at least the minimum level of the non-poor as stipulated by the World Bank Standard. Nations which are less endowed with natural and human resources, such as China, Taiwan and Japan have attained such levels and Nigeria can not afford not to do the same. By its natural endowments, Nigeria is capable of being listed as a wealthy nation. Nigeria is rich in mineral deposits, oil deposit and has a very good agricultural potential. If these are well harnessed, foreign income will be generated sufficiently for the development of infrastructure and provision of good social services. The problems of poor nutrition, non-availability of potable drinking water and consequent poor health records can also be solved, by good management of the agricultural sector. Social menace and aggression perpetrated by adolescents will also be solved through job creation in the process of harnessing these resources. All these are possible within the framework of the 1999 Constitution, if and when properly implemented.