

## **Chapter One**

### **Introduction**

#### **1.1 Background to the Study**

To attain world peace in resolving global issues of an economic, social, cultural, or humanitarian nature as well as to promote and encourage respect for fundamental freedoms and human rights for all people without regard to race, sex, language, or religion, is one of the goals of the United Nations (UN) Charter<sup>1</sup>. In a similar spirit, everyone has a right to a social and international system in which all human rights can be completely realised<sup>2</sup>. The Right to Development (RTD), which addresses human welfare, emerged from these underlying assumptions. However, there is intense debate about these rights. Academics are not the only ones who disagree about the issue's standing and importance. The Right to Development (RTD) is still a contentious issue, even at the United Nations (UN), which serves as the primary forum for discussions among nations. In actuality, it has been over three decades since the UN General Assembly formally recognized the RTD, 29 years since all governments came to an agreement on the Right to Development (RTD), 12 years since an Open Ended Working Group (the Working Group) was established and an Independent Expert on the RTD was named and 6 years since the UN High-Level Task Force on the implementation of the RTD was established<sup>3</sup>. Even Nevertheless, the international community still lacks a binding agreement addressing the Right to Development (RTD) despite the significant engagement on this issue. The only human rights framework in Africa under which the Right to Development is enforceable or has legal effect is the African Charter on Human and Peoples' Rights (ACHPR), along with its protocol on women's rights. In other words, the ACHPR establishes requirements that governments cannot waive or modify. In actuality, the ACHPR's signatories aimed to establish formal obligations and rights.

Therefore, it might be claimed that the RTD in the ACHPR is a legal right that states parties are obligated to uphold. For Article 22(1) of the ACHPR, all peoples have the right to their economic, cultural, and social development while giving appropriate consideration to their freedom as well as individuality and while equally taking pleasure in humanity's collective legacy<sup>4</sup>. States have a responsibility to guarantee that the right to development is exercised, either collectively or individually. This development is seen as a component of Africa's contribution to the discussion of human rights. The African Charter is exceptional in codifying a legally binding right to development upon governments. Its inclusion represents the growth of the right to development<sup>5</sup>. However, despite this official accomplishment, Africa continues to be one of the world's poorest or most impoverished regions, or rather, the place where the Right to Development (RTD) is the furthest away from being achieved.

Given that poverty is a quite peculiar to many African nations, this is not surprising. Hospitals without physicians or medications exist, schools are empty sheds devoid of any supplies like textbooks, desks, or teachers. Malnutrition and even thirst claim the lives of millions of youngsters<sup>6</sup>. Rarely do adults reach the age of fifty, towns generally lack employment as well as roads, bridges, power, and telephone service. In fact, there are so many essential resources that are inadequate in Africa that there is an unrecognized economic emergency. The 2018 World Bank Africa Development Indicators Report reported that 41% of the population of Sub-Saharan Africa (SSA) lived on less than one dollar a day per person in order to quantify the poverty crisis discussed above<sup>7</sup>. Also, the UN Secretary General's 2017 Report affirms that only around a third of Sub-Sahara African (SSA) children who are old enough for primary education actually attend. Also the 2017 World Development Indicator reported that, SSA has an average life expectancy of 47 years<sup>6</sup>. In addition, it was revealed that 25.8 million adults and children in SSA are living

with HIV, one in five children in SSA die before the age of five, one in 22 women in SSA died during pregnancy or childbirth in 2016, and that the average annual real GDP growth in Africa from 1998 to 2018 was only 4.3%<sup>6</sup>. Africa is, in fact, incredibly underdeveloped and destitute. The UN adopted the Millennium Development Goals (MDGs) in 2000, with a renewed set goal of eradicating poverty by the year 2030.

In order to address the issue, African leaders used the Organization of the African Unity (OAU now African Union) to adopt development strategies like the Monrovia Declaration of Commitment of Heads of States and Governments to the Guidelines for National and Collective Self-reliance in Social and Economic Development for the Formation of a New International Economic Order on July 17, 1979, the Lagos Plan of Action for the Economic Development of Africa, 1980-2000 (LPA), and the Fiduciary Initiative for the Sustainable Development of Africa (FISAN) and New Partnership for African Development (NEPAD)<sup>7</sup>. NEPAD, the AU's economic and development strategy, attempts to ensure self-monitoring, whereas the APRM's Declaration on Democracy, Political, Economic, and Corporate Governance aims to ensure self-monitoring. While NEPAD is the action plan for achieving the socioeconomic goals of the (AU) Constitutive Act, its APRM is a tool for ensuring that the principles, priorities, and goals of the Constitutive Act are not only included in the socioeconomic programs of various countries and regions, but are also upheld and enforced. In this sense, NEPAD is the AU's and Sub-Saharan States tool for development, with a clear focus on human rights. In accordance with its mandate, the AU is required to promote and defend human and peoples' rights, consolidate democratic institutions and culture, and to ensure good governance and the rule of law, promote democratic principles and institutions, popular involvement, and good governance, to promote and safeguard human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights

(including the RTD), and other applicable instruments, and ensure good governance and the rule of law. In light of this, the research work seeks to examine how NEPAD, a component of the AU based system, may be utilised to combat poverty in order to realize human rights, particularly Rights to Development in Sub Sahara Africa. The research work is based on the idea that human rights and the Right to Development (RTD) are implemented through development and policy policies, programs, as well as institutions like NEPAD rather than in a vacuum.

### **1.2 Statement of the Problem**

The contributions of Right to Development in any society is huge. Every person has the right to contribute to, participate in, and enjoy social, economic, political and cultural, development, which is the only environment in which all other fundamental freedoms and human rights can be fulfilled. This environment is one in which all human rights and fundamental freedoms can be fully realized. Development also, is an all-encompassing process that encompasses economics, society, culture, and politics. However, amidst the creation of economic plans and units by regional institutions like the African Union, ECOWAS and SADC which are meant to help in the attainment of Right to Development in Africa, Rights to Development is yet to be achieved and attained as the set goals and objectives of these economic plans and units are yet to be achieved. One of the economic reform programs created to enhance Human Right to Development is the New Partnership for Africa's Development (NEPAD). Its four main goals are to end poverty, advance sustainable development and growth, incorporate Africa in the global economy, and promote women's empowerment. It is founded on fundamental values such as a dedication to good governance, democracy, human rights, and conflict resolution; and the understanding that upholding these standards is essential to establishing a climate that is favorable to investment and long-term economic success. It is pertinent to know that objectives and goals of several of these

economic plans, units and agencies in the attainment of human rights to development are yet to be achieved in Africa States. The continent is largely underdeveloped and highly characterised by elements of failed states. This has created a vacuum between the people and the state as well as an impediment towards the actualization of right to development. The study therefore intend to fill the gap of the prospect to Right to development.

### **1.3 Aim and Objectives of the Study**

The aim of this research work is to elucidate NEPAD's impact and prospect on Right to Development. However, specific objectives of the study are to:

- i. assess the impact of NEPAD on poverty reduction and access to basic services in Africa;
- ii. analyse the extent to which NEPAD (New Partnership for Africa's Development) has contributed to enhancing the right to development; and
- iii. investigate the key the challenges confronting NEPAD towards the actualisation of Right to Development.

### **1.4 Research Questions**

The research attempt to answer the following research questions;

1. What are the impact of NEPAD on poverty reduction and access to basic services in Africa?
2. To which extent has NEPAD contributed to enhancement of Right to Development?
3. What are the challenges confronting NEPAD towards the actualisation of Right to Development?

### **1.5 Significance of the Study**

The focus of this research is the identification of NEPAD's impact and prospect on Right to Development. That is to say, this research study will serve as academic reference to what rights is, and what rights ought in the context of Africa. Besides the academic community which stands to benefit from this research work, it will safe as a guide for policy makers on the protection and promotion of rights to development in Africa. It will similarly serve as a wake-up call to the populace of the region on how to pursue their rights to development in a free and democratized political dispensation.

### **1.6 Scope of the Study**

Though, quite a number of academic researches have been carried on the discourse of Human Rights, the scope of this research work will focus on NEPAD's impact and prospect on right to development. While the time frame of this research study is 2011 to 2021.

### **1.7 Limitation of the Study**

The limitations of the study involve the difficulty in accessing relevant literature as well as official documents and publications on subject matter. Also, financing the research work is also another limitation battled by the researcher. Thus, this has not hindered the quality of this study.

### **1.8 Operational Definition of Terms**

**Right:** Right can be thought of as claim that a person makes against the government and other citizens. In other words, rights are the underlying prescriptive principles that govern what is expected of people or owed to them under a certain social norm, legal system, as well as moral philosophy. It can also be defined as legal, social, or ethical principles and philosophy of freedom or entitlement. The claims that a person may make against the government and other

citizens are generally referred to as rights. The state and other citizens are automatically liable for these claims.

**Human Rights:** Human rights denotes fundamental freedoms that all people have without distinction for their gender, nationality, race, language, ethnicity, religious affiliation, or any other characteristic. Among these rights are the freedoms from torture and slavery, the right to life as well as liberty, the freedom of speech or right to opinion, the right to a good job and as well as education, freedom from discrimination and access to these rights is guaranteed to everyone, without exception.

**Development:** Development can be defined as the process of creating social change that allows human to reach their full potential. Its traits include growth and positive change as well as the incorporation of economic, physical, social, environmental, and demographic elements.

**Right to Development:** The right to development refers to the entitlement of individuals and communities to participate in, contribute to, and benefit from the process of development. It encompasses the idea that every person has the right to enjoy economic, social, cultural, and political progress, as well as the right to live a dignified life.

**African Union:** Former known as the Organisation of African Unity was revitalized into African Union in 2002. It is the regional organizational union that encompasses the 55 countries that exist in Africa.

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## Endnotes

1. S. Sparviero, &M. Ragnedda, *Towards digital sustainability: the long journey to the sustainable development goals 2030*, **Digital Policy, Regulation and Governance**, 23(3), 2021, 216-228.
2. D. Puras, *Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*, **Phil. LJ**, 95, 2022, 274.
3. J. Holmberg, &R. Sandbrook, *Sustainable development: what is to be done?. In Policies for a small planet*, **Routledge**, 2019, 19-38.
4. Y. Donders, *Cultural heritage and human rights*, published in: **Oxford Handbook on International Cultural Heritage Law, Amsterdam Law School Research Paper**, 2020, 2020-37.
5. I. Koomson, R. Villano, &D. Hadley, *Effect of financial inclusion on poverty and vulnerability to poverty: Evidence using a multidimensional measure of financial inclusion*, **Social Indicators Research**, 149(2), 2020, 613-639
6. B. Waller, *African Children in Peril*, **Troubador Publishing Ltd**, 2023
7. D. Vorisek, &S. Yu, *Understanding the cost of achieving the Sustainable Development Goals*, **World Bank Policy Research Working Paper**, 9164, 2020

## Chapter Two

### Literature Review

#### 2.1 Conceptual Review

##### 2.1.1 The Concept of Human Right

The RTD is one of the key ideas that underlie the discussion of human rights. Although contested globally, the RTD is a key component of the framework or understanding of human rights in Africa. Africa has viewed the RTD as a legal right that can be asserted just like other legal right. As stated in the American Declaration of Independence:

*"humans are made endowed and equal by their maker with a degree of inviolable rights like the desire for happiness liberty and life<sup>1</sup>"*

All human, whether a man or a woman, is entitled and possesses the right to dignity. To put it another way, the concept of human rights expresses belief in the worth as well as dignity of an individual in the equality of both women and men, and in the rights of all states, either small nor big, as well as belief in the advancement of societal progress, justice as well as a higher quality of life in greater freedom<sup>2</sup>.

However, the idea of human rights came before the natural law doctrine<sup>2</sup>. Ancient faiths that viewed all people as equal creations of God are where the principle of natural law first appeared. The Hinduism tenet of "Non harm to everybody else (ahimsa)" or literally not inflicting pain towards other living creature at any moment through the actions of someone's body, speech or mind, the Christian idea that we are all God's children which gave rise to the phrase "be your brother's keeper" are all excellent examples of this<sup>3</sup>. Inspired by the Buddhist ethos and mindset, which urges people to give up the distinctions between "ranks and castes" and "become equal and indissoluble arm the same community. The Dalai Lama's belief that all world challenges will

be solved if only the people realize one another's fundamental humanism, accept and honour other's rights, and bear and embrace each other's sufferings and challenges<sup>4</sup>.

Chinese earlier philosophers who established a cosmopolitan perspective to interactions in the society and emphasised the enormous advantage of the ruler vis-à-vis the person, employed these significant theological roots as a platform. Similarly, other thinkers built the natural law perspective on the notion that all persons are naturally equal, contending that a noble life does not exist outside the shores of a cosmopolitan setting "based on a distinct acknowledgment of rights of individual", that the subjugated person might ensure refuge under the confinement of law, and that furthermore, orders comprised of making sure that everything is executed in accordance to the law, that convention is witnessed, and each mans' right is respected<sup>4</sup>. Social justice is attained when different classes execute respective duties and human justice as the successful functionality of the components of the soul in accordance with natural law<sup>5</sup>. The natural law philosophy of Aristotle recognized that all people, who are treated equally by the law, are regarded as political beings. By describing the natural law doctrine from the perspective of the Christian, wherein having to live a life without justice was equivalent to living a life without Gods' love, this idea was developed by early Christian thinkers<sup>5</sup>.

Then, through the teaching of Jesus Christ which states that loving other persons as well as not letting the righteous be crushed by coercion and to grant every individual his rights, this Christian doctrine was created to create a link between rights natural law and right<sup>6</sup>. It may be claimed that Christians are charged with the responsibility not to discriminating because Christianity forbids it. Such an obligation contributed to a great development of equality, human freedom, justice, and therefore to a comparable transition from natural law as obligations to natural law as rights, it was a fascinating development since those who were demanding

independence from state persecution were citing their inherent right to properties, participation, life, as well as freedom of religion<sup>6</sup>.

The enlightenment theorists and enlightenment philosophers who concentrated on society's challenges like state repression to establish their justification for natural rights established the natural law from the Christian-based perspective natural law<sup>7</sup>. These philosophers believed that by applying the inherent logic found in the principles of nature to many areas of the humanity, people and community would become more reasonable and more capable of being improved by human input and effort<sup>6</sup>. Similarly, America's Declaration of Independence written in the year 1776 has the following words in its second paragraph:

*"We consider basic 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<sup>1</sup>".*

This clause brought up the issue of natural rights, and the America's highest court the Supreme Court ruled that:

*"The Declaration of Independence lists the pursuit of happiness as one of man's unalienable rights. This right was granted to man by the Creator, not by the favor of emperors or kings, nor by the force of a law or a constitution<sup>7</sup>".*

The same court that declared that *"the founding fathers held dedicatedly that there was a God and that fundamental rights of man were founded in him"* likewise adopted this strategy<sup>7</sup>.

The French political proclamation "Proclamation of the Rights of the Man and Citizen," which outlines a set of personal and social liberties resulting from the French Revolution of 1789, also makes reference to natural rights philosophy. The phrase "Rights of Man" emphasizes the inherent nature of human rights and their fundamental connection to every individual human

being. The Universal Declaration said that:

*"every person is obliged to an international and social framework in which the liberties and rights set out in the Declaration can be fully realized<sup>8</sup>."*

This concept was also included in that document. *"The right to all individuals to a sufficient living standard includes "the right to clothing, education, housing, right to clothing and food and others."* This is consistent with the fundamental principle of natural law is that everyone has the right to survive<sup>6</sup>. The rights that one has merely by virtue of one's being a living creature, are possessed inalienably as well as equally and by all human beings<sup>9</sup>. They are the political and social safeguards required to shield people from the common dangers to human decency offered by the contemporary nation and contemporary markets.

Contrary to the natural law idea, which asserts that some normative concepts are genuine or conscience and exist without the need for human enforcement or codification, Positivism maintains that law is not connected to moral ethics and also that conventions are only true inasmuch as they are based on a clear rule. As for the individualist viewpoint, this separation from the cosmopolitanist aspect of the natural law idea is geared toward the predominance of the person as well as the supremacy and authority of the nation represented by the sovereign ruler whom serfs are meant to obey<sup>9</sup>. This viewpoint contends that the state should have the authority to restrict the right of the people's rights. The idea of "rights of person," was rejected by certain advocates of the natural theory because they were nothing more than fanciful ideas that gave rise to the "horrendous illusion" of human justice and equality<sup>9</sup>. It's fascinating to observe that even pragmatic Bentham strongly opposed natural rights. "The child of law is right," "Real rights originate from real law, that is originally derived from the state, but hypothetical rights arise from imaginative regulations, from natural law," therefore natural rights is an illusion<sup>9</sup>.

If Bentham believed in property's right, then it may be claimed that he rejected natural rights as well. Alternatively, how could a pragmatic dismiss natural rights? As it will be explained subsequently in the course of this research work, Bentham's interpretation of human rights will undoubtedly cause issues with how resources are distributed throughout the world. It's indeed crucial to remember that the explosive growth of positivism is correlated with the challenging operationalization of the concept of natural rights. In Olympe de Gouge 1791 Declaration of the Rights on Citizens and Women, the first article of which asserted the equality right woman and man. In actuality, the Declaration of "the Rights of Man" did little to advance the women's rights<sup>10</sup>. Additionally, prejudice based on social status, race, as well as other factors was not lessened by the Declaration on the Rights of Man in 1789.

Despite the difficulties described above, it may be contended that the natural law idea was crucial in the development of right of human as they are now understood. But the idea of human rights isn't a concept that is simple. When the global community had to develop the International Bill of Rights, the challenges associated with the idea became evident. It ratified both the International Covenant on Civil and Political Rights (ICCPR), which is congruent with Secular western origins, and the International Covenant on Economic, Social, and Cultural Rights (ICESR), which is known to stem derived from the socialist background.

Human rights simply denotes the entitlements and privileges an individual has just because he's human<sup>6</sup>. Many individuals and organizations interpret human rights loosely to include rights that are available to everyone because they are human<sup>9</sup>. Even if the interpretation may be a little hazy, it truly captures the essence of the two terms that were combined to create the term. Everyone on earth is considered to be human, regardless of their ethnicity, age, ideology, nationality, sex,

orientation, or religious beliefs. The term "rights" denotes privileges that everyone is automatically entitled to, regardless of the aforementioned. ir age, ethnicity, nationality, ideology, orientation, sex, or religious beliefs. Rights typically have a legal applicability and nature. Therefore, a person has a right to certain benefits and opportunities only by reason of the fact that she or he is a human being.

Nonetheless, because the idea of human rights is more complex, it would be unwise to take it for granted or to limit oneself to using language to describe the rights we have as individuals without considering the arguments for or against the principles upon which they are based. Human rights are comparable to other fundamental rights in that they belong to everyone, regardless of gender, nationality, race, language, ethnicity, religion, or any other distinction. Because they include "the liberty and right to life, freedom from torture and slavery, freedom of expression and opinion, and the right to education etc, everyone has the right to exercise these rights without hindrance. It is essential to realize that people are not immune<sup>9</sup>. Every person has a right to respect for their own life and sense of morality. Anyone's right cannot be unilaterally taken away. There are three distinct typologies of human rights: solidarity rights, which emphasize equality and the absence of discrimination, cultural rights and socioeconomic, which encompass the right to adequate housing, education, and living conditions. Political and civil and rights, which protect human from the actions of organizations state as well as other people.

Human rights are relevant in two basic ways: as freedoms and legal rights and that may be enforced; and as entitlements based on particular ideals or ideas<sup>10</sup>. Its fundamental premise is that a person must have access to it since they are a human being. Not all legal rights, though, are applicable from the standpoint of human rights. A legal right is one that a law has established or acknowledged. Its violation is typically rectified by monetary compensation. It is a historical

right that common law courts have acknowledged, thus it would also encompass equitable rights. Legal rights can also be characterized as the ability to make an official claim against someone who has a corresponding duty to act<sup>10</sup>. Not only do humans have access to these rights, but also corporations, as well as even animals. Legal rights can be a crucial component of human rights, but legal rights also include other types of rights that go well beyond human rights.

Human rights are widely acknowledged as being obviously essential to international relations. At the conclusion of World War II, it is thought that the first actions were done to protect and uphold human rights. However, there were indications that human rights would be upheld in international affairs. Examples include the recognition of the religious freedom of minority Christians, which resulted in the peace of Westphalia in 1648 and the conclusion of a more than three-decade-long war<sup>11</sup>. The Cyrus Cylinder, where Cyrus the Great freed slaves and granted people the freedom to practice any religion they choose around 539 BC, and the Magna Carta Libertatum (Great Charter of Freedoms), which was the charter of rights in 1215, are two other historical perspectives that speak to the resolution of issues of human rights on a global scale. The Magna Carta was a peace treaty between King John I of England and the insurgent barons that was negotiated by the Archbishop of Canterbury. It preserved the freedom of religion, shielded the barons from unjust imprisonment, made sure everyone had access to quick justice, and put a cap on feudal tribute payments to the Sovereign crown<sup>11</sup>.

After the 1940s, the United Nations started working to safeguard international human rights, which led to the creation of the Universal Declaration of Human Rights (UDHR) in 1948. 48 of the 58 members of the UN General Assembly cast their votes in favor of the UDHR's provisions, while 8 abstained and 2 did not attend the meeting. However, the massive amount of support for the charter does not imply that the UDHR was endorsed without opposition. For instance, the

communist nations objected to the way the document did not give due consideration to sovereignty; Saudi Arabia expressed concern over the UDHR's recognition of the freedom to change one's religion whenever one so opts; and South Africa, which was still governed by the apartheid system at the time, objected to the racial discrimination equality. Despite being set apart from the UDHR, the UN Charter represented the value and protection of human rights on a global scale because it also ushered in the creation of the International Court of Justice, a crucial component of the protection of global human rights. Human rights can thus be classified into three different generations which are highlighted in subsections below:

### **2.1.2 The First Generational Rights**

First generational rights, otherwise referred to political and civil rights, which encompass the freedoms from slavery, forced labour, torture, as well as right to property and life, right to a due process, the right to self-worth and dignity, and right to freedom to roam around<sup>12</sup>. With the exception of the right to life and the prohibition against torture, every other rights are restricted to limitations. To defend the individuals' right to life, for illustration, the death sentence must be abolished. The use of this right entails negative consequences for the state, including a prohibition on torture and the restriction of rights that are regarded as inalienable as well as natural. Regardless of the emergency situation brought on by a conflict or war, when individual rights can be suspended, the suspension must be proportionate to the urgency it seeks to solve. This was the stance taken by the European Court of Rights in the case of United Kingdom versus Ireland.

### **2.1.3 The Second Generational Right**

The second generational rights, similarly known as cultural, social, and economic rights, comprises rights like the right to health, housing, food, education and the most of others. These

rights were rejected the title of human rights due to their alleged lack of effective enforcement, the fact that a portion of these rights are not universal, and the disparities in nations economic advancement levels that result in non - uniform stage of implementation<sup>13</sup>.

Nevertheless, the (ICESCR) International Covenant on Economic, Social, and Cultural Rights of 1966 as well as the associated protocol were adopted by the world community, protecting cultural, economic and social rights<sup>9</sup>. These rights place the state under constructive responsibilities to fulfill them, however the fulfillment is gradual because it hinges on the available resources that exist in a particular nation. However, a shortage of funds is not a justification for not putting them into practice.

#### **2.1.4 The Third Generational Rights**

These rights include the right to self-governance or determination, a safe and eco-friendly society, modernization, ownership of humanity's common history, and international and national peace<sup>14</sup>. These rights are often referred to as group rights camaraderie rights or group rights. Although contentious and thus known as "debatable rights," these rights were influenced by the requests of developing nations, particularly African nations, who faced challenges related to colonization and were shut out of the world economy, which is why group rights hold a significant position in the ACHPR.

Simply said, the disagreement over the generality of human rights is highlighted by the discussion of the sequence of rights. Human rights, according to advocates of natural law idea, are universal. In light of this, individual dignity simply denotes the specific ethnic insight of the inner worth of the individual and his actual political community. Every being, either woman or man, is a living being and thus bestowed with inalienable and universal rights that are fundamental to their charisma<sup>11</sup>. Additionally, decency is an inheritance or innate right rather

than a privileged right. Human's dignity should be based on human nature rather than a specific civilization. Pope Pius promoted this method, defining human's dignity as

*"something which is fundamentally an individual's heaven-given inherent rights from a Christian<sup>15</sup>".*

According to this line of reasoning, man was given a distinct status at creation, and as a result,

*"all societal structures, states, governments, laws, individual rights, and respect for humans' stem in the dignity of human as well as his personality<sup>15</sup>."*

All the human institutions have as their basis, reason for existing, and goal his dignity. Therefore, the distinction between a beast and human being is one of dignity. The ideal of integrity at work is the only privilege given to human in comparison the other creatures. As a result of these inherent humanity, it is a virtue that is to inherent to every human, in all circumstance. Similar to this, all people have rights solely by just being human, and such rights are independent of a person's sex, citizenship, or ethnicity. Supporters of the universality and legitimacy of human rights agree with this viewpoint. It has been stated that majority of culture and civilizations have placed a high value on promoting social welfare and protecting life<sup>12</sup>.

Making use of popular African idiom and proverb to explain the core idea of human right in Africa's philosophy, it thus emphasis the following:

*"Two-headed crocodiles battle over meal which enters a common belly just because each enjoys the prey in its throat; if you deprive me the ability to express myself freely, you're a killer; it is your job to look out for my wellbeing when I am old after I successfully raised you; or "I understood it and I retained it<sup>16</sup>".*

As a result, everybody's free to express themselves, everyone belongs to a social group, and everybody has both obligations rights and obligations. Sharing and collaboration ought be the

norm in that system, and human rights are typically shared by everybody. Therefore, it is asserted that Africa's philosophies drawn from the linguistic, cultural, as well as the historical heritage of African people inspire the core concept and idea of human rights in the globe<sup>17</sup>. The universality of human rights is also in doubt, because African states with the exception of Ethiopia, as well as partly Asia countries, were still under colonial rule at the time when Universal Declaration was prepared and did not take part. Lebanon as well as Peoples Republic of China were the only non-Westerners present. In other words, issues relating to custom, culture, tradition as well as religion play significant roles in determining the direction of the human rights movement. As a result, the concept of uniformity of rights becomes problematic and complicates the process of categorizing and identifying human rights. Therefore, it is true that the extent and vagueness of the Universal Declaration today make it difficult to comprehend how conceptually and practically connected human rights are.

In a similar spirit, human rights ultimately manifest themselves at specific historical junctures to solve specific societal concerns. As a result, it may be claimed that contrary to what the theory of natural law claims, human rights are not ingrained in human's nature. Supporters of the relative validity and accessibility of human rights back up this viewpoint. Nonetheless, the Vienna Declaration, which was generally ratified by UN member countries, called a halt to the argument between universalists and relativists regarding the nature of human rights. Similarly, political and civil rights, cultural, social, and economic rights, including RTD, are also universal and need to be incorporated synchronously, and that neither any of rights should be absolutely crucial above the other<sup>18</sup>. This research supports the assertion that all human rights are indivisible interdependent, as well as indivisible. Interdependency of civil and political rights and socio-economic rights can also be explained in the term below.

It is challenging to come up with accurate and comprehensible categorization from a logical perspective. The rights in both apparent classifications are in fact interrelated and interconnected, both individually and collectively, solely as a result of the fact that they are all necessary for preserving the health and decency of every human as a human being. Without the educational right that permits all human to take advantage of that freedom, for instance, freedom of liberty and expression will remain the exclusive preserve of the wealthy minority<sup>19</sup>. On the other hand, an individual educational right is assumed meaningless without their ability to freely produce knowledge and engage in communicating. For a person without access to housing and healthcare, none of these rights has any real world value.

However, it is crucial to remember that when human rights' universality was declared, regional differences were not disregarded; as a result, human rights hold a significant place at local levels in broad sense and in Sub-Saharan Africa especially. The phrase "human rights in Africa" refers to the entire human rights framework and system in Africa. The term "The African human rights framework" would be used loosely in this research work. Thus, it encompasses "the geographical or regional," i.e., the AU-based framework, "the sub-regional," like the Economic Community of West Africa (ECOWAS) as well as the Southern African Development Community (SADC), and "the national," including national laws and their jurisprudence. The Organisation of African Unity (OAU) Declaration of 1963 (now known as the 2001 AU Constitutive Act), the 1969 OAU Convention Governing the Specific Aspects of Refugees in Africa, the 1981 ACHPR, as well as the 1998 Protocol to the ACHPR on the Establishment of an African Court on Human and Peoples' Rights (Protocol on the African Human Rights Court) serve as the foundation.

Now is the time to explain why this research work holds that human rights remains the perfect means of accomplishing the RTD. International law was founded on the idea of equality

and fairness between states that were also related with a just and fair relationship between them, during "the traditional regime of sovereignty," which spanned from 1648 to the early twenty-first century<sup>20</sup>. The "vertical" association and relationship with both the citizens and the states was an issue of national sovereignty that could be resolved at the national level and was not international laws' scope.

However, since the World War II came to an end, the incorporation of human rights principles into international conventions has elevated international law to the status of *Jus gentium*, or the peoples' law. Several human rights laws were adopted as a result of this growth. More interestingly, numerous non-state or quasi actors like the TNC, WTO and IFIs have taken a significant role in forming global politics, international law, and international relations<sup>14</sup>. In reality, they are the ones who establish the global order, and their deeds should be guided by human rights international standards if those standards are to serve as a guide for the realization of the RTD. The realisation of socio economic rights is actually necessary for the nation-state as well as the global community to fulfill their roles as "redistributionists" of resources in order for basic human rights to serve as the RTD's driving force<sup>21</sup>. It should be underlined that if all parties involved uphold the fundamental principles of human rights, this will result in the realization of international security because the latter cannot occur if the former are disregarded. In pursuit of global development strategy, one should therefore push for "the vocabulary of global justice [and not] human rights." If the realization of the RTD is the end result, then is also true.

Overall, upholding human rights is the greatest method to achieve the RTD, yet it's important to make sure that globalisation respects people and their dignity.

### 2.1.5 The Concept of Development

The Teheran World Conference on Human Rights in 1968 first emphasized the relationship between human rights and development within the UN system, stating that:

*"the achievement of lasting progress in the implementation of human rights is dependent upon sound and effective national and international policies of economic and social development"<sup>21</sup>.*

That is to say, effective development or developmental frameworks are intimately related to the successful realization of human rights. However, because the idea of development is elusive among other things, this link may not necessarily transfer into reality on the ground. The phrase "development" is frequently used without any definition, much like the word "peace." It can therefore have diverse connotations in various societies, groups, and nations. In addition to its legal setting, it could be intriguing to try and research the idea socially in a cruel culture. For instance, the phrase "pahloh long ngohmbiaeh" is frequently used in the hamlet of Baleng in Western Cameroon. Development is regarded as progress, hence the phrase denotes "let's bring and enhance progress to Baleng."

Development is referred to in Lingala as Kobonga, whereas progress is referred to as Konede Kiboso<sup>15</sup>. Development is called Ditolhobolow in Setswana, and progress is called Tswelelopele. Thus, in Igbo, is simply called Obodoimepe. That is to say, African languages are integral to development<sup>15</sup>. Its absence is referred to as "poverty" in several languages, including Mpong in Baleng, Mobola in Lingala, Lehuma in Setswana, and in igbo 'Ogbenye<sup>22</sup>'. These phrases demonstrate how important human welfare is to African communities. In general, a lack of

essential services and goods required to live honourably is linked to a lack of welfare or poverty. According to this perspective, poor people cannot have access to a life congruent with the requirements of civilised existence in an impoverished community.

Development and modernisation are terminologies often used interchangeably. Therefore, it may be claimed that a wealthy or developed individual is someone who resides in a structure with contemporary restrooms, televisions, and many other amenities of the modern world<sup>23</sup>. In short, a developed or rich woman or man lives in a wealthy environment, such as Madrid in Spain or Paris in France, and it may be argued that his or her dignity as a human being is ensured, despite the fact that there are pockets of poverty in large cities. From this perspective, "development" is understood according to the conventional paradigm, which views it as the accumulation of money and gauges it through the (GDP) Gross Domestic Product<sup>23</sup>.

This perception of development is predicated on American hegemony as emphasized by the then American President 'Truman' in his 1949 speech where he emphasized that:

*"America should make available to the peace loving peoples the benefits of our wealth of scientific knowledge in order to help them in their aspirations for a better life<sup>24</sup>".*

From a hegemony standpoint, development is thus, a good given to the 'underdeveloped' in order to conquer and subjugate them. The 'Third World' was created as a result of such progress focused on the accumulation of material as dictated by the liberal idiosyncrasies and ideology characterized by the right to property. The Third World was created as a result of this ideology of development since it served as the foundation for the WTO's inequities<sup>26</sup>.

Liberal policies designed to impose "the hegemonic project of modernization" rather than "global justice" underlies the imposed classical idea of development<sup>27</sup>. One could contend that the former

America's president notion of "progress" is hegemonic because it disregards other people's ideas. Pygmies living in the forest of East and South Cameroon, for example, do not share the same resonance with the term neoliberal development. It is well known in Cameroon that for these individuals, commonly known as "forest people, development is not about accumulating resources or building infrastructure. In fact, as roads and other features of so-called "civilization" are introduced to their settlements, they withdraw into the depths of the forest.

They still utilise drums to communicate across great distances in the era of mobile phones. Pygmies will really be underdeveloped or hampered in their development if what is considered "progress" in other areas of the continent is brought to them. The similar argument may be made that because machinery is the primary driver of environmental destruction, what is known as riches in the traditional sense also causes pollution<sup>28</sup>. This method of development is comparable to the conceptualization of development as a cosmopolitan republic of ideas, founded on profoundly knowing one's own traditions, mixed with a real respect for the traditions of the other" and is a model for development<sup>28</sup>.

Thus, development is likewise seen as a form of culture. Citing Uganda as a practical example, spiritual leaders reportedly consulted their spirits in the waters where a dam was to be sighted, asked them (spirits) for their "permission" to establish the dam. This is said to have happened after the African Development Bank signed an agreement with the government of Uganda to develop the dam and hydropower<sup>28</sup>. The spirits 'consented' to all of this, it is alleged, and were actually dragged out of the lake to make room for the dam's construction and other connected activities. An American 'JjajjaBujagali', who was a senior to the other spiritual leaders tried but was ignored at first. JjajjaBujagali refused to cooperate when asked because he believed that the government, the African Development Bank, and the World Bank—the two banks supporting the

project—had disregarded him. When finally addressed, JjajjaBujagali claimed that his spirit(s) in the lake were being uncooperative. In order to get their approval for the project, he claimed to have spoken to them on multiple times. Before the spirits can agree, it seems what he wanted (according to the bank personnel) was to be paid a sum equal to or greater than that of his colleagues<sup>29</sup>.

This therefore makes the concept and notion of development quite challenging to comprehend. In actuality, believing in African ancestral spirits is akin to believing in witches. Although it is widely believed that people have moved on, the persistent reality is that many people still hold on to their civilization, culture, and religion as being protected as human rights. Although it is important to emphasise "good culture," it is not yet clear what exactly falls within the purview of culture. Perhaps the term "development paradigm" needs to be redefined to refer to contemporary, positive cultural practices and ideas that (as long as they are positive) aid people in coming to terms with who they are. To prioritise material things over other values is wrong. Being wealthy entails "improved talent and aptitude, greater flexibility, creativity, self-discipline and responsibility" in addition to having a full bank account or properties<sup>29</sup>.

When the participants were unoccupied and unwinding around a campfire not far from a lake during the 2008 Alternatives Days in Canada, this author had an informal discussion on "what is poverty? After hearing the hypothesis linking poverty to a lack of technology and mechanization, the author offered a fresh viewpoint in the following words:

*"Connecting to nature is not being impoverished; cultural identity shouldn't be seen as poverty. In order to be close to nature, we travelled 145 miles to organise this conference in a rural area. Currently, we are gathered around a fire by a lake at night. We come here to commune with*

*nature, yet other Africans who live in such detail are stigmatised as being below the poverty line*<sup>30</sup>.

However, the fact that some individuals appreciate their culture and ancestry and consider themselves wealthy or to be environment lovers does not change the fact that Human dignity cannot always be enhanced by a life without access to food, medication, housing, education, and technology, particularly in this day when the globe is increasingly becoming a global village<sup>31</sup>. From a different perspective, progress might be compared to freedom.

For instance, a black South African who was denied rights during apartheid can now argue that he is developed since he has the freedom to travel about, the ability to vote, and all of his socioeconomic and cultural rights protected by chapter two of the South African Constitution. In other words, black South Africans can describe growth as freedom<sup>32</sup>. Development is thus an art of investing in people, in education, and in human development, is another way to look at the concept.

*"What we were doing, in fact, was thinking about development in terms of things, and not people*<sup>33</sup>.

In other words, development is not the creation of machinery, mechanics, roads and bridges etc, but rather the development of a human being who can build these machines, build these roads, and respect others<sup>34</sup>. The United Nations Development Programme asserts development as, among other things, the study of human welfare and the enhancement of human potential<sup>35</sup>. In a similar vein, development is all about empowering the underprivileged<sup>36</sup>. World Vision asserts development, as advocacy pinnacle whose aim is to promote sustainable change in the lives of children, families, and communities living in poverty"<sup>35</sup>. Accordingly, development is more than

just providing physical resources<sup>36</sup>. That is, it also involves giving communities the tools they need to take charge of their own destiny and keep raising their standard of living<sup>36</sup>. Even while World Vision works to establish communities based on Christian principles, it supports all people regardless of their gender, colour, or ethnicity. It doesn't have a prejudiced goal. The necessity to uphold the charitable and morally righteous principles of Jesus Christ's teachings on aiding the needy informs growth<sup>36</sup>.

The concept "development" is complicated and requires development itself. African politicians usually advance development as a reason to be voted into office while the incumbent party asks for more time to finalize its development programme, but none of them defines the concept of development<sup>37</sup>. However, as was previously mentioned, development may also indicate upheaval of the traditional way of life and be seen as acculturation, or rather, it may denote higher living standards marked by an increase in society welfare generally<sup>37</sup>. Development therefore should be viewed in the context of this research study as a process to raise living conditions with a focus on freedoms. The second paragraph of the Preamble of the 1986 UN Declaration on the Right to Development (UNDRTD) sheds more light on this view by defining development as:

*“(a) comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals on the basis of their active free and meaningful participation in development and in the fair distribution of benefits resulting therefrom”<sup>8</sup>.*

In other words, development is an all-encompassing, human-centered process that is supported by the creation of national and international contexts that allow each person and every group of people to freely experience a sustained improvement in their cultural, social, economic as well as political well-being. Such an idea of growth requires the creation of an international system that

is marked by justice for all<sup>38</sup>. Despite a critical viewpoint on this, there should be a global order in which the following distinctive characteristics and features of development are present:

*Empowerment* - As women and men's talents and options grow, so does their capacity to execute those options without experiencing hunger, lack, or deprivation. Additionally, it gives them more chances to influence or support decisions that have an impact on their life.

*Equity* – The expansion of opportunities and capabilities means more than income – it likewise denotes equity, like the educational segment in which every individual should have inalienable access to.

*Co-operation* – With a sense of belonging necessary for human fulfillment, well-being as well as a sense of meaning and purpose, the main concern of human development is the ways people interact and work together.

*Security*– Most importantly, livelihoods' security. There is a need for people to be free from all forms of threat repression, diseases as well as any harmful disruptions to people lives and property.

*Sustainability* – The basic needs and necessities of the present generation has to be met without hampering the rights of future generations to be free from poverty and also deprive them their essential capabilities<sup>39</sup>.

### **2.1.6 The Concept of (RTD) Right to Development**

The first paragraph of the UNDRTD stressed that:

*“Every human being as well as all peoples have the right to take part in, contribute to, and benefit from social, economic, political and cultural, development<sup>40</sup>”*

In other words, a person or a group contributes, relishes, as well realizes their RTD through their participation<sup>41</sup>. This is congruent with the idea that human rights are universal, interconnected, unalienable, and interdependent. The RTD also calls for involvement at the international or regional level through South-South alliance, alliances between the rest of the world and Africa, and bringing together interdependent human rights under one roof with the specific goal of winning the war against poverty. However, as will be demonstrated in this discourse, the RTD is highly divisive in the majority of Western states, particularly in America<sup>42</sup>.

However, a recent shift in the conversation about human rights is noteworthy. In America, the historic Health Reform Bill was approved by the US Senate on December 24, 2009. This Bill which is credited to former American president Barack Obama, who called it:

*"the most important piece of social legislation since the passing of the Social Security Bill in the 1930s as well as the most crucial reform of Americas' health-care system since Medicare passed in the 1960s".*

The most intriguing aspect is that this is taking place in a state whose constitution forbids the recognition of socio economic rights. Not a single one of the (14) Fourteen Amendments of America's Constitution forming the Bill of Rights made reference to socio economic rights. However, the people recognize these rights while their elected representatives in their upper house unanimously adopted the bill which was promulgated into law in 2010<sup>43</sup>. People have informed their elected representatives to support the motion for health care because they see its significance on par with that of liberty. This development, therefore is significant to this research study because as earlier indicated, the Right to Development includes socio economic rights, which includes right to health. The fact that the right to health is one of the fourteen amendments highlights how interconnected all of the other human rights are, demonstrating that all human

rights, that is the first, the second, as well as the third generation are all equal. Human rights can be said to be interdependent, as US former State Secretary succinctly stated at the Human Rights Week marking the 61st anniversary of the Universal Declaration:

*“Our human rights agenda for the 21<sup>st</sup> century is to make human rights a human reality, and the first step is to see human rights in a broad context. Of course, people must be free from the oppression of tyranny, from torture, from discrimination, from the fear of leaders who will imprison or “disappear” them. But they also must be free from the oppression of want – want of food, want of health, want of education, and want of equality in law and in fact<sup>8</sup>”.*

Actually, this is how the RTD's core principles—which the USA consistently opposes—are interpreted. To put it another way, it includes both freedom from desire as well as freedom from fear. However, the 2009 Health Reform Act's passage ushers in a sea change in how America views human rights for two key factors:

First off, it was considered "distorting" the idea of human rights during the Reagan Administration to equate cultural, economic, and social rights with political and civil rights, under President Obama's political administration. amounts to little more than a hollow exercise in language meant to give Euro-Eastern states a chance to look good on disarmament issues as well as enhance permit the Third World states to misconstrue human rights issues by affirming the equal significance of cultural, economic, and social rights with political and civil rights and also linking human rights in general to its impracticable eagerness for a new global socio-economic order<sup>44</sup>.

### **2.1.7 The RTD as an Inalienable Human Right**

The UNDRTD's initial paragraph's use of the phrase "inalienable" emphasizes the significance of the Right to Development (RTD) as something which can not be infringed upon or traded away. It comes from the prior discussion of the natural law idea and concept. In addition to the 1986 UNDRTD, the 1994 (ICPD) International Conference on Population and Development also highlights the RTD's inalienable characteristics. The RTD cannot, therefore, be abandoned for whatsoever reasons, including a hindrance to development<sup>27</sup>. This right must be met in a way that is sustainable because it's an integral component of mankind. Since human beings are the focus of progress in this register, the notion of developmentalism, which is characterized by profit-seeking as well as free markets at any costs, is rejected<sup>44</sup>.

Although the RTD loses its inalienable characteristics when a nation doubles as a duty-bearer as well as the beneficiary of these rights. In the below, as it will be emphasized while analyzing people's concept in the African Human Right, individual's right are often sacrificed by African states.

#### **2.1.7.1 Right to Participation as a Cornerstone of the RTD**

The phrase "*every human being and people are entitled to participate*" is a clear statement of the right to participation, even though the Right to Development encompasses all human rights as well as freedoms<sup>44</sup>. Participation is regarded as the cornerstone of state development. No individual is left out on any grounds whatsoever thanks to the right to participate. The right to participate underlines the necessity for transparency and accountability in the development process as well as the prohibition of discrimination. Youth, women, as well as indigenous socio-groups should participate in the developmental process and share in its benefits<sup>30</sup>.

The right to participate actually builds on article 21 of the Universal Declaration, which states that every individual has the following rights<sup>8</sup>:

(i) the right to participate in the governance of ones' state, directly or through the medium of a chosen representatives;

(ii) the right to equally access to public employment and services;

(iii) the people shall be the foundation of the authority of the state<sup>8</sup>. This will shall be expressed in regular and authentic elections, which shall be conducted by secret ballot or by comparable free voting processes, and most importantly shall be by generally, equal and universal suffrage<sup>8</sup>.

It is very evident from this paragraph how important participation is to any society. Similar to this, by building on article 25 of the ICCPR as well as the shared article 1 of the two Covenants of 1966, the 1990 African Charter for Popular Participation in Development and Transformation, which focused to guarantee an effective participation of African peoples to Africa's development, emphasized the significance of the right to participation. According to the natural law perspective, which contends that all persons are endowed with natural rights at birth, the right to participate is an unalienable human right and is compatible with the RTD. It's crucial to remember that involvement without sufficient funding won't lead to the RTD's implementation<sup>45</sup>.

#### **2.1.7.2 The RTD as a Composite Human Right**

By emphasizing that development is a procedure in which no human right or freedom should be disregarded, in along with dealing with concerns of cultural, economic, political and social, health, the article under examination emphasizes the RTD's comprehensive nature.

"All essential freedoms and human rights" are covered. In other words, political, civil, economic, cultural and social, and rights are among the RTD's fundamental tenets. Prior to the 1986

UNDRTD, the ACHPR—the only instrument containing the RTD that is legally binding—emphasized the RTD's composite aspect, which integrates cultural, economic, and social rights with a steadfast stand for the respect of freedoms. The article 22 reads:

(i) *“All peoples shall have the right to their economic, social and cultural development with due regard to their freedom and identity and in the equal enjoyment of the common heritage of mankind”.*

(ii) *“States shall have the duty, individually or collectively, to ensure the exercise of the right to development”<sup>46</sup>*

As a result, the RTD is an entitlement rather than being dependent on favor or generosity. However, as will be shown in the following chapter, there appears to be a dispute about the right at issue since certain members of the international community, such as America's (USA), desire to link the RTD to altruism, humanism, and foreign policy considerations. The Vienna Declaration recognizes and exposes the composite character of the RTD in the same manner as the 1986 UNDRTD and the ACHPR, saying:

*“The World Conference on Human Rights reaffirms the right to development, as established in the Declaration on the right to development, as a universal and inalienable human right and an integral part of fundamental human rights”<sup>47</sup>*

To put it another way, the widely endorsed Vienna Declaration acknowledges that the RTD entails a process assuring the realization of "all human rights and fundamental freedoms." More crucially, the Vienna Declaration's paragraph 5 states:

*“All human rights are universal, indivisible and interdependent and interrelated. The*

*international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is the duty of States, regardless of their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms<sup>47</sup>”.*

The most significant issue is the organic relationship between human rights, not the individual recognition of each human right, hence it's critical to comprehend the RTD's composite structure. It is obvious that the liberal concept of "rights" is somewhat vague in the context of the RTD, where emphasis is made on a huge number of neighboring rights regarded indispensable related to the process of realizing the right to development<sup>35</sup>. This was covered in Sen's capability theory, which can be applied to comprehend the composite characteristic of the RTD. This perspective contends that granting individuals various freedoms, including as freedom from fear and freedom from want, is necessary to realize the RTD. Other human rights and the RTD are quite simple.

As will be discussed later, the state is the primary duty bearer of a composite right in terms of obligations, but cooperation with the international community is encouraged. It was made clear that the RTD's features and content. While the human rights argument pits political and political rights (freedom) versus socioeconomic rights (bread) in the framework of RTD, it was claimed that the crucial question isn't who has how much of each, for how long, at what cost to others, or why<sup>36</sup>. Justice and fairness in the sharing of global resources should serve as the RTD's guiding principles, with "redistribution, access, and needs" acting as its primary concern<sup>30</sup>.

RTD will be on the right track if at least one element is realised while the other elements are left alone. The RTD is referred to as a rights vector<sup>36</sup>. However, this notion has been has fiercely

criticized on the point of view that "the Chinese," whose civil rights are frequently infringed, have not advanced in the past 10 years, or perhaps that they have, but without their right to advancement, improving<sup>38</sup>. In response to the above perception of incoherence, this research study argues that economic growth must fulfill the essential criteria for enabling the achievement of the RTD in order to be a constitutive aspect of the RTD. Therefore, it is important to assess whether laws passed to encourage economic growth adhere to standards for human rights. This point of view is supported by the capacity hypothesis, which also highlights the RTD's composite nature. In this register, the RTD is a freeing right that makes it possible for other human rights to be realized. It demands the abolition of "unfreedoms". In this way, the RTD is achieved through the enjoyment of the rights to education, health, food, and association, which allow the less fortunate to fulfill their potential and broaden the range of possibilities available to people for their fulfillment<sup>48</sup>. The RTD, also known as a person's *"rights to economic and social institutions that protect them,"* is in accordance with article 28 of the UDHR, according to the human capacities theory.

It's the right to what an individual can be or better still a right to human functioning<sup>37</sup>. The entire development process must therefore be rigorously examined in order to evaluate the RTD. Such an investigation should consider the financial resources allocated, the planning and development aims, as well as their execution procedures, without disregarding the underlying causes of underdevelopment<sup>48</sup>. From a different angle, the RTD in question's complexity runs counter to its professed objective of eradicating poverty. This connection to human rights makes the RTD unclear, which makes it more challenging to apply and keeps it in a rhetorical state. For a detailed explanation of the right, it was agreed upon<sup>37</sup>. In other words, the RTD's meaning is ambiguous. Since almost anything could be construed as a violation or infringement of a right,

defining what would constitute such an occurrence becomes more challenging, and the liability for failing to protect the right becomes equally dispersed and ambiguous.

In other words, it is pointless to have as many people as there are on the planet if human rights cannot be realized. Given that the paradox of rights is that the fewer you possess, the more crucial they become. The RTD's scope should be limited to stress "economic progress," as this was the context in which the relevant right was initially founded<sup>38</sup>. Criticism of the RTD's composite aspect and simply the fact that it even exists raises concerns about its justiciability and feasibility. This is the liberal notion of "right" that Dworkin's worldview upholds which means that the RTD cannot be justified and is not reasonable<sup>48</sup>. Regarding the first issue, the rule of law is not the only solution, despite its importance for the defense of human rights. In fact, political and social upheavals can lead to the adoption of appropriate legislation and raise awareness of the issues in order to change the situation. In the absence of law or regulation, this study contends that social and political pressure, identification, raising public awareness of the problem, and defamation are additional strategies for getting individuals who violate human rights to stop their horrific deeds and defend human dignity. The strength of popular rebellion was on show during the so-called "Orange Revolution" in Ukraine in the early millennium (2006), when civilians revolted without following a legal process and deposed the President of the Republic<sup>49</sup>. In November 2008, a similar situation occurred in Thailand when the people peacefully ousted the Prime Minister from office without following the proper legal procedures. A Nobel Prize winner claims that the value of a human right is independent of its applicability<sup>49</sup>. In other words, just because something has the potential to become a legal entitlement does not mean that it will afterwards become a human right. As a result, the RTD's status as a fundamental human right is unaffected by the state's inability to establish a legal structure to

defend it<sup>49</sup>. The idea that the norm of human rights necessitates a complementary commitment and that if you have a legitimate claim, you have a duty to defend it was argued to be rejected by the preceding position.

This research study argues that human rights should not be confused with legal rights because they predate law and are derived from the notion of human dignity. First of all, human rights are commitments to social ethics<sup>48</sup>. Contrary to a common desire, it is impossible to call into question the legitimacy of these rights by proving that they cannot withstand scrutiny from the general public<sup>39</sup>. Instead, it is essential to show how many authoritarian countries that in some way stifle free speech do not respect these rights. By emphasizing its justiciability, why strive to refute the RTD's status as a right? Does a worldwide court exist that has the authority to file lawsuits against states who disobey the ICESCR or the ICCPR? For example, the ICESCR declares that education should be free, but many African countries still charge for it. Socioeconomic rights at the federal level are typically covered by overarching state policy concepts and are therefore not subject to judicial review. As a result of this, socioeconomic rights do not become any less human right. Because of this, the RTD's standing as a human right shouldn't be affected by its inalienability.

This research work similarly asserts that the RTD, despite frequently being mentioned in broad Principles of State Policy, may be just as legally actionable as any other right listed in a national bill of rights with regard to the second issue of public interest litigation. This can be done by using the public interest litigation process, which allows the judge to interpret the law in a way that protects the public interest and imbues the constitutional provisions with a spirit of social justice.

### **2.1.7.3 The Right to Self-Determination: An Integral Component of the RTD**

The right to self-determination is another foundational tenet of the RTD. It is emphasized in Article 1(2) of the UNDRTD. According to this paragraph, the RTD is inextricably linked to the right to self-determination. This is related to the second objective of the UN Charter, which is to: *"promote friendly relations between states based on respect for the concept of equal rights and the right of the people toward self-determination as well as to take other appropriate measures to and strengthen international peace"*<sup>50</sup>

As a result, the basis for relations between states should be the equality of those nations. Because of their equality, they have the right to self-determination, which gives them the freedom to decide on their governmental structure and resource management methods.

This is essential for combating poverty, as well as for achieving both world peace and adequate standard of living<sup>51</sup>. This clause makes it clear that a sovereign state has the right to self-beneficiary on an international scale. This interpretation of the term "self-determination" is supported by the combined article 1(1) of the ICESCR and ICCPR, which declares that *"all peoples enjoy the right to self-determination"*. As a result of that right, they are free to select their political status and freely pursue their economic, social, and cultural development. This phrase is supported by the Vienna Declaration, the CERDS, and the Convention on the Protection and Promotion of Cultural Diversity of the United Nations Educational, Scientific, and Cultural Organization (UNESCO). Most of these documents consider self-determination to be a communal right or "people's right". However, it appears that in the context of international affairs, self-determination only pertains to sovereign entities like nations<sup>38</sup>. In this case, it is essential to keep in mind that the right to self-determination is a component of the RTD.

In conclusion, the right to development is an unalienable human right having various dimensions, including political and civil rights, cultural as well as socioeconomic rights<sup>51</sup>. It is "interlinked"

with the right to self-determination. It emphasizes the fact that human rights are universal, indivisible, and most importantly interrelated, as well as the right to participate and the right to self-determination. In further analysis, it will be demonstrated that it's both collective and individual rights.

### **2.1.8 Administration of the Right to Development (RTD)**

Realising or obtaining the right is necessary for putting the right into effect. The Hohfeld principle asserts that there exist a proportionate duty to all right, and it is used in all situations<sup>51</sup>. This simply signifies that duty bearers have a positive obligation to give the RTD and a negative obligation to prevent the right's realization from happening. In fact, the presumption that RTD is also human right implies indicating who are regarded as the duty bearers and who are regarded as the right holders or the beneficiaries. To address these questions will be the main objective of the below subchapter.

#### **2.1.8.1 The Duty-Bearers of the RTD**

In terms of the RTD's worldwide responsibility for human rights, the international community, the state, multinational organizations like oil companies, persons, individual legal entities, and multilateral organizations like the WTO and the IMF are all regarded as among the duty bearers<sup>52</sup>. The cosmopolitanism doctrine, which regards all individuals as belonging to a single large human family and being bound together by a common humanity, contains this advice. Therefore, everyone who can help—every state and every institution—must.

The duty bearers of the RTD are highlighted in Article 3 of the UNDRTD.

i. States are primarily responsible for establishing domestic and global frameworks that are supportive of the realization of the right to development.

ii. Full adherence to the norms of international law governing friendly relations and cooperation among States in line with the United Nations Charter is necessary for the realization of the right to development.

iii. States have a responsibility to work together to ensure growth and remove barriers to it. States should recognize their rights and carry out their responsibilities in a way that advances both the observance and implementation of human rights as well as a new international economic order based on interdependence, sovereign equality, mutual interest, and cooperation among all States<sup>40</sup>.

The opening sentence of the article clearly indicates that states have the "primary duty" of ensuring the right is implemented. The significance of governments working together worldwide in conformity with the UN Charter is made equally clear in the second paragraph. Thus, as required by paragraphs 55 and 56 of the UN Charter, governments must cooperate to safeguard human welfare. The 3<sup>rd</sup> paragraph of the article also discusses this topic. In short, the RTD's duty bearers are the state at the national level and the international community at the global level. This is reiterated in the UNDRTD, the Vienna Declaration, and the International Covenant on Civil and Political Rights.

#### **2.1.8.2 The State as a Duty-Bearer**

Human rights protection has traditionally been the responsibility of the nation-state. The CERDS, which emphasizes the essential duty of the state to support the cultural, social, and economic development of its populace, stresses this duty the more. The UNDRTD's Preamble stresses that:

*"the main obligation of the states is the establishment of suitable conditions to the development of human and people and individuals<sup>40</sup>"*

In the same way, article 8 of the UNDRTD, in addition to the stipulations of article 3(3) above

- i. *States should adopt all required national-level actions to realize the right to development, including ensuring that everyone has an equal chance to obtain basic resources, education, health care, food, housing, employment, and a just distribution of income. To ensure that women play a significant part in development, effective steps should be done. To end all social inequities, appropriate economic and social reforms must be implemented.*
- ii. *States should promote public engagement in all areas as it is crucial to progress and the full enjoyment of all human rights<sup>40</sup>.*

The state's strategy for protecting the RTD is made very plain by this clause. This activity should be sufficiently comprehensive to cover all human rights, including civil, political, economic, and social rights<sup>44</sup>. Women shouldn't be disregarded during the process, and participation for all ethnicities should be guaranteed. In a similar vein, the UNDRTD affirms that the state's fundamental responsibility is to establish the national and international frameworks necessary for the achievement of the RTD. In other words, the government must execute development methods, tactics, and plans that take into account the desires and goals of the people as well as the ideals and realities of the political, social, cultural, economic, and environmental realms.

In the same vein, the UNDRTD's article 4(1) states: *"States have the duty to adopt measures, individually and collectively, to create international development policies with a view to facilitating the full realization of the right to development<sup>40</sup>".* The same article's article 2(3) also states:

*"States have the right and the obligation to formulate appropriate national development policies that aim at continuously improving the well-being of the entire population and of all individuals, on the basis of their active, free, and meaningful participation in development and in the fair*

*distribution of the benefits resulting therefrom*<sup>50</sup>". Similarly, "Human rights and fundamental freedoms are the birthright of all human beings; their protection and promotion is the foremost obligation of governments<sup>50</sup>,"

Effective national development policies, fair economic relations, and a favorable economic environment are all necessary for long-term progress toward the realization of the right to development<sup>44</sup>. In other words, the state should take the lead in achieving the right. However, the state's initiative might not be successful if outside meddling influences the formulation of national development programs. In other words, people should be able to exercise their freedom to decide how to use their resources, including money, and their right to self-determination. The success of the state also depends on a strong civil society that controls its activities on a national scale. In order to support, observe, or act as watchdogs in the state's attempts to fulfill human rights, including the RTD, churches, NGOs, the media, as well as others should be involved<sup>52</sup>. Although certain NGOs are not always able to carry out their responsibilities due to a lack of adequate funds and capability, NGOs nevertheless have a responsibility to uphold the idea of participation, accountability, and openness when implementing the RTD<sup>52</sup>. In any case, the least contentious component of the RTD is likely the state's obligation to implement it nationally.

### **2.1.8.3 The International/Global Community**

International players include international non-state actors, UN member states, International Financial Institutions (IFIs) as well as International Non-Governmental Institutions<sup>53</sup>. The focus of this part will be on the commitment of the member states of the UN (including the UN High Level Task Force's contribution to the attainment of the RTD) and the IFIs, even if each of these organizations has a responsibility to preserve human rights on a global scale.

### **The Member States of the United Nations**

The UN's member nations ought to work together to combat poverty or implement the RTD. According to the UNDRTD's article 4, it clearly states:

- i. *“States have a responsibility to act both individually and collectively to establish international development policies with the goal of enabling the full fulfillment of the right to development”*,
- ii. *“To support the more rapid growth of developing nations, sustained intervention is needed. Effective international cooperation is crucial in supplying these nations with the necessary tools and infrastructure to support their overall development as a complement to their own initiative<sup>40</sup>”*

According to the first paragraph of this Article, states are not exempt from the requirement to create suitable RTD policies. The state has the authority to take collective and individual action. This declaration strongly emphasizes the collective effort of member states of the UN to achieve the RTD. The second paragraph of the provision makes greater sense. The necessity for *"effective international collaboration"* to ensure that the RTD is clearly expressed compels the community of states to take action. Both paragraph 4 of the Vienne Declaration and article 6(1) of the UNDRTD from 1986 support this.

The greatest way to uphold human rights is therefore through international cooperation, which should also be done without discrimination<sup>44</sup>. In fact, the Vienna Declaration emphasized how interdependent and mutually reinforcing democracy, development, and human rights are, and that:

*"the international community should support the strengthening and promoting of democracy, development, and human rights and fundamental freedoms in the entire world<sup>47</sup>"*

After realizing the RTD's inherent worth and position among fundamental human rights, this was done. What's more noteworthy is that the same document states that States should work together

to ensure development and remove development-impediments. The international community ought to promote effective international collaboration in order to realize everyone's right to growth and remove obstacles to it<sup>44</sup>. This call is echoed in the UNDRTD's article 3(3), and it is important to note that achieving the goals of the UN Charter—among which is eradicating poverty—requires more international cooperation in the area of human rights. Similarly, the responsibility of the international community is based on international solidarity in addition to moral universalism, which asserts that

*"individuals and political communities have moral obligation to their fellow citizens, and to other societies in the form of both the wider society of states and the universal community of mankind"*<sup>45</sup>.

This argument states that the wealthy have a responsibility to look out for the less fortunate. According to a utilitarian perspective, wealthy people should actually be able to set aside their own interests in favor of a more significant goal, the good of everyone<sup>46</sup>.

It emphasizes the need for fair access to the tools of personal and social progress and fulfillment in an atmosphere of respect for the civilizations and traditions of all peoples, which is the opposite of liberalism. In truth, the RTD establishes an emergent principle in international law that there is a common international responsibility for the human situation is how modern cosmopolitanism expresses itself.

Also, the Millennium Declaration of 2000 emphasizes governments' joint duty to defend the principles of equality, human dignity, as well as equity at the international levels. The MDG number highlights the critical role of global cooperation in eradicating poverty worldwide and achieving other goals, such as making the right to development a realization for every persons and liberating the entire human race from want.

#### **2.1.8.4 Global Institutions' Obligations**

The UDHR declares that every individual has the right to a "adequate standard of living for himself as well as his family in addition to a "global order in which his freedom and rights can be ultimately realized"<sup>54</sup>. These provisions, in other words, require "global order makers" to make sure that their actions promote the achievement of human rights<sup>54</sup>. The WTO, IFIs, G7 and even multinational businesses have a responsibility to respect human rights because of their critical role in "the selection of the development strategies and the creation of development circumstances for states. In actuality, governments' domestic policy sovereignty is diminished by their influence in today's globalized world. In a similar vein, the cosmopolitan justice theory asserts that international financial institutions (IFIs) have a moral duty to respect human rights and a negative duty not to harm the poor, or, in other words, that they must refrain from (actively) exacerbating other people's human rights not to be fulfilled.

#### **2.1.9 The Right-Hold to RTD**

Conservatively, individuals have typically been the owners or recipients of human rights. However, from the perspective of RTD, everyone is a beneficiary of the right, including individuals, peoples, and even the state (because the latter is typically the duty bearer).

##### ***Individual***

As stated by the UNDRTD,

*"the right to development is an intrinsic human right by virtue of which every human being and all peoples are entitled to participate in". When the recipient is referred to as "every human person," it refers to an individual right. The individual character of the right recipient is emphasised under the idea of "all individuals" when development is defined as a process aiming at the continuous development of the "well-being of the entire population and all individuals"<sup>40</sup>.*

The UNDRTD's article 2 (1), which states that *"The human person is the central topic of development and should be the active participant and beneficiary of the right to development"*<sup>40</sup>,

If the RTD is understood to refer to an individual right rather than a collective right, even the USA, a major opponent, would be willing to give it a try. The US envoy to the 61st Commission on Human Rights asserted such on behalf of his nation. The right to development (RTD)<sup>74</sup> implies the ability to pursue one's political and civic rights while also engaging in intellectual development to the fullest extent possible.

### ***The State***

The RTD names the state, who often upholds rights, as its intended recipient. The UNDRTD's Article 2(3) is crystal clear: *"States have the right and the duty to formulate appropriate national development policies that aim at the continual improvement of the welfare of the entire populace and of all persons, on the basis of their active, free, and meaningful participation in development and in the fair distribution of the benefits therefrom"*<sup>40</sup> Even though this section pertains to the state's duties, it is interesting because it starts with "States have the right." In this situation, the state comes out on top because it has the autonomy to determine its own national development strategy free from outside interference. It should utilize this power. Even more emphasis is placed on this idea in the Declaration on the Establishment of a New International Economic Order<sup>40</sup>. Swanson argues that the RTD is the collective right of developing countries to establish a new international order in this way, and he underlines the need for international cooperation in order to make this claim a reality. The paragraph could also imply that the state has human rights and that such rights could be exercised in a way that conflicts with the wishes of other nations.

But because it is not a living being, a state can only claim such a right on behalf of its residents.

While the state is the major negotiator of the right, it is not the beneficiary but rather the tool used to further the interests of people. In this situation, the state performs the position of the equivalent legal trustee<sup>54</sup>.

#### **2.1.10 NEPAD: Origin, Structure and Objectives**

The African Union's program for economic growth is called the New Partnership for Africa's Development (NEPAD). July 2001 in Lusaka, Zambia, at the 37th meeting of the Assembly of Heads of State and Government, NEPAD was approved. In order to hasten economic integration and cooperation between African states, NEPAD intends to create a policy framework and a comprehensive vision for Africa and policy framework<sup>54</sup>.

The Millennium Alliance for the African Sustainable Construction (MAP), championed by the then South African president Thabo Mbeki in collaboration with former presidents Olusegun Obasanjo of Nigeria and Bouteflika Abdelaziz of Algeria, and the OMEGA Plan for Africa created by Senegal's president Abdoulaye Wade, have been combined to form NEPAD. The Organisation of African Unity (OAU) decided that OMEGA Initiatives as well as MAP Plans should be combined at a conference in Sirte, Libya, in March 2001<sup>54</sup>.

Based on both of these initiatives as well as the Africa's resolutions endorsed by the UN Millennium Summit in September 2000, the UN Economic Commission for Africa (UNECA) created a "Compact for Africa's Recovery," which it then combined and submitted to the Conference of African Ministers of Planning and Development in Algiers, Algeria in May 2001<sup>55</sup>.

This agreement was approved by the OAU Assembly of Heads of State and Government in July 2001 in Lusaka, Zambia, under the code-name of the New African Initiative. On July 20, 2001, the G8 leaders backed the program, and other foreign development partners like the China, European Union, as well as Japan all issued statements publicly endorsing it. On October 23,

2001, the project's Heads of State and Government Implementation Committee (HSGIC) completed the policy framework and gave it the moniker New Partnership for Africa's Development. Although it maintains its own secretariat situated in South Africa to coordinate and carry out its programs, NEPAD is currently a project of the African Union (AU), which took over from the Organization of African Unity (OAU) in 2002.

The four main goals of NEPAD are to end poverty, advance sustainable growth and development, include Africa in the global economy, and hasten women's suffrage. It is founded on fundamental values such as a dedication to good governance, democracy, human rights, and conflict resolution; and the understanding that upholding these standards is essential to establishing a climate that is favorable to investment and long-term economic success. NEPAD aims to expand funding, capital flows, and investment by offering an African-owned development framework as the cornerstone for regional and global partnerships<sup>55</sup>.

The Durban AU conference added a Resolution on Economic, Political, Democracy, as well as Corporate Governance to NEPAD in July 2002. It emphasised in the declaration, States taking part in NEPAD 'sincere belief in honest, just, transparency, responsible and inclusive government and rectitude in public life,' according to the Declaration. In light of this, they "initiate to work with revitalized tenacity to regulate," among other things, the rule of law, the inclusivity of all people, collective and individual freedoms, the right to engage in free, reputable, and democratic processes, and conformance to the balance of powers, which would include safeguarding for the autonomy of the judiciary and the efficacy of parliaments<sup>55</sup>.

In order to encourage adherence to the fulfillment of its promises, the African Peer Review Mechanism (APRM) similarly mandated by the Declaration on Political, Democracy, and Corporate Governance. A document outlining the main steps of peer review as well as the

guidelines for the APRM was incorporated at the summit Durban su. Additional core paperwork, including a (MoU) Memorandum of Understanding that governments interested in participating in the peer assessment must sign, were approved at a session in (Abuja) Nigeria, March 2003<sup>55</sup>.

In respect to the structures of NEPAD, three states from each area of the African Union make up the HSGIC, in which NEPAD's secretariat reports to. Former Nigerian President, Obasanjo was elected chair, with Presidents Bouteflika of Algeria as well as Senegal's Wade serving as deputy chairmen. The AU Assembly of Heads of State and Government receives reports from the HSGIC, which meets severally within the many times annually. The creation of projects, programs and policies is also overseen by a Steering Committee made up of 20 AU member nations; this committee answers directly to HSGIC as well.

Headquartered in (Midrand), South Africa, the NEPAD Secretariat is now known as the NEPAD Planning and Coordinating Agency. The African Regional Economic Communities, the cornerstones of the African Union, rather than the NEPAD Secretariat, are in charge of implementing development initiatives. Thus, the NEPAD Secretariat's mission is one of organization and funding mobilization<sup>55</sup>.

#### **2.1.10.1 NEPAD and the Universal Fulfillment of Human Rights**

At the outset of this section, it is crucial to remember that the RTD's central tenet is the universal achievements and realisation of human rights. It is abundantly clear from the NEPAD Declaration on Democracy, Political, Economic and Corporate Governance from 1998 that the group was established with the goals of eradicating poverty, putting our nations—both individually and collectively—on a path of sustainable development and growth, as well

as participating fully and equally in the global eco-political and economic system. The researcher will emphasize how important this is.

According to article 31 of the 1969 Vienna Convention on the Law of Treaties, "*a treaty shall be construed in good faith in accordance with the ordinary meaning to be ascribed to its terms in their context and in view of its object and purpos*<sup>47</sup>". It is imperative to consider the context and objectives of the agreement, in other phrases. Regardless of the fact that NEPAD is not a treaty, this research study will still use the above criteria to analyze NEPAD in the context of its aims as well as objectives. Actually, the goal of NEPAD is to alleviate the severe poverty that exists in the continent of Africa<sup>55</sup>.

These provisions state that the RTD in Africa is NEPAD's ultimate objective. This interpretation has to do with the history and goals of NEPAD. Protecting people's participation rights and prioritizing the realization of socio-economic rights, environmental concerns, as well as freedoms are both necessary for the organization to succeed. Thus, as is the case with the NEPAD Programme, an RTD-related development program should seek to "eradicate capability poverty in addition to economic poverty through the growth of education and training, health, and nutrition." In fact, the NEPAD strategy which include (right to education), better nutrition (right to food), and better health care (right to health) through initiatives like NEPAD Comprehensive Africa Agriculture Development Programme (CAADP) all aim to increase human capabilities (freedoms)<sup>56</sup>.

It addresses the issue of reducing income poverty by promoting broad employment (the right to employment) through its infrastructure, other programs, and strategy to boost the gross domestic product. It truly comprises of a "complete, comprehensive, and integrated plan framework for the socioeconomic advancement of Africa." The establishment of the AU and NEPAD has changed

"the African human rights landscape" and given the continent the framework required to protect human rights<sup>56</sup>. Additionally, the African institution satisfies the requirement that an RTD development program be able to emphasize the responsibilities of all the major actors, including state authorities, governments, multinational corporations, multilateral organizations, and the international community.

The "P" in NEPAD actually calls for a partnership between African leaders and their people as well as between Africa and the rest of the world in order to fulfill the RTD. However, as will be shown in a later portion of this study, the "P" is not present in any NEPAD action. Article 3(h) of the AU treaty mandates that the AU promote and defend all human rights, including the RTD as defined by the ACHPR. NEPAD, the development arm of the AU, is crucial for advancing human rights and the RTD in particular in Africa<sup>57</sup>. In addressing human rights, it is stated that promoting democracy and democratic government is the aim of the endeavor and that they are crucial to any attempt to achieve development.

NEPAD has no impact on RTD. By applying this reasoning, RTD had been neatly removed from the critical portions in the NEPAD Declaration of Democracy, Political, Economic and Corporate Governance" and claims that this deletion is the result of the RTD's terminology not fitting well with NEPAD's major donors<sup>57</sup>. To put it another way, African leaders went above and beyond to defend RTD and human rights in general. For attaining their goals, they cited state legitimacy, democracy, accountable management, broad participation and a culture of human rights, and broad participation. The RTD, must be realized by economic growth that includes increases in resources, such as GDP, as well as advancements in institutions and technology, as highlighted by the NEPAD program, in addition to a comprehensive plan for the protection of all human rights.

However, due to its objective of alleviating poverty, it may not be accurate to argue that NEPAD is exclusively about accomplishing the RTD. In this regard, correctly noted that NEPAD should have "defined the objectives of development in terms of legally enforceable entitlements," giving human rights advocates the opportunity to assert peoples' rights to not be poor, as it is necessary to establish suitable mechanisms to assert the RTD<sup>58</sup>. It is essential, from an RTD standpoint, to redefine NEPAD so that socio-economic rights are treated as human rights, as entitlements or claimable rights, rather than only as access to services.

However, it might not be realistic to only consider the RTD in terms of legally enforceable entitlements or human rights that can be upheld in court. This highlights the issues with the right's adequacy, existence, and viability. In other words, the RTD is both unjusticiable and unworkable because NEPAD does not provide a legal framework for defending human and community rights. While the rule of law is crucial for defending human rights, this thesis contends that it is not the only tool at hand. In order to change the situation, political and social upheavals may lead to the passing of necessary laws and a greater understanding of the issues by the general population. If there is no law or regulation involved, this study argues that there are alternative means, such as social and political pressure, naming, increasing awareness, and defamation<sup>58</sup>.

However, it might not be reasonable to simply think of the RTD in terms of rights that can be affirmed in court or that are enforceable by law. This draws attention to the problems with the right's viability, existence, and legitimacy. In other words, because NEPAD does not offer a legal framework for preserving human and community rights, the RTD is both unjusticiable and impractical<sup>59</sup>. This research study assert that while the rule of law is important for protecting human rights, it is not the only available tool. political upheavals may result in the adoption of

required laws and a higher public awareness of the problems in order to change the situation.

African leaders specifically promise to uphold the ACHPR, the 1990 African Charter for Popular Participation in Development, the African Charter on the Rights and Welfare of the Child, which protects children's RTD, the Protocol on the Establishment of the African Court on Human and Peoples' Rights, the 1999 (Grand Bay Mauritius) Declaration and Plan of Action for the Promotion and Protection of Human Rights, and other documents<sup>84</sup>. One can even contend that the ACHPR never needed to be established because NEPAD pledged to support it, which includes the African Commission and the African Court of Human Peoples' Rights<sup>60</sup>.

The relationship between the African Commission, the African Court on Human and Peoples' Rights, and the APRM must be established and strengthened. The former was created to compel African leaders to uphold their obligations, even though it is voluntary. In opposition to this perspective, Donnelly opposes the RTD due to its lack of justiciability, and the same critique also applies to NEPAD's human rights provisions. However, this concept contends that rather than a court of law, human rights are founded in human dignity. Why try to justify NEPAD's inability to improve RTD by claiming that the rights are not justiciable? How justiciable are ESCRs, as Johnson correctly asks? Exists a global court that can bring legal action against nations that violate the ICCPR or ICESCR? For instance, education ought to be free, according to the ICESCR. Even though the UN Committee on ESCR can address the issue, a number of African nations continue to impose school fees. In fact, Manfred Nowak, a former UN Special Rapporteur on torture, stated that if the value of human rights is primarily found in their justiciability, then there is a clear need for a world court of human rights<sup>60</sup>. Socioeconomic rights clauses are frequently found in broad state policy concepts at the national level, making them non-justiciable. Social and economic rights are not any less human rights as a result. Therefore,

NEPAD's ability to improve the enjoyment of the right should not be negated by the RTD's lack of justiciability through NEPAD, even though, as was already mentioned, NEPAD will benefit from integrating the APRM process with the African Commission and the African Court on Human and Peoples' Rights.

Now that we are focusing on the APRM, it may be said that NEPAD primarily aims to realize human rights in their entirety. The RTD idea secures corporate governance laws, rule of law policies and programs, fighting corruption, reducing poverty, literacy, and health legislation, all of which are reviewed by APRM. In fact, five of the nine APRM objectives listed under the commitment to democracy and political governance place a direct emphasis on the realization of human rights. They are the promotion of constitutional democracy, which includes periodic political competition and the opportunity for choice, the rule of law, and the inclusion of a Bill of Rights in a supreme constitution<sup>86</sup>; the promotion and protection of economic, social, cultural, civil, and political rights enshrined in African and international human rights instruments; the promotion and protection of the rights of women, children, and young people, as well as vulnerable groups such as From this vantage point, among other things, the APRM consistently calls on participating governments to promote human rights at the national level<sup>88</sup>, sign international human rights treaties, and abide by their global and regional monitoring systems. Mangu claimed as a result that African leaders founded the APRM "in order to meet NEPAD's objectives which all revolve around the protection and advancement of human and peoples' rights in Africa." In truth, the establishment of NEPAD would not have been required if Africa had attained development, good government, and human rights<sup>60</sup>.

On the other hand, it was asserted that NEPAD's capacity to uphold human rights is hampered by the absence of connections between it and the earlier African development plans (the Lagos Plan

of Action and the African Alternative to Structural Adjustment are both problematic).

1 This argument differs on the grounds that the AU's establishment clearly increased the focus on defending human rights in Africa and that the programs that came before NEPAD were all run by the OAU at a time when the continent's human development record wasn't very impressive.

#### **2.1.10.2 Legal Status of NEPAD and the RTD**

NEPAD was officially adopted as the AU's economic program in July 2001 in Lusaka, Zambia during the 37th Session of the Assembly of the Heads of State and Government of the OAU. Following its acceptance by the AU, the United Nations General Assembly's resolutions recognized it internationally as Africa's official development strategy<sup>61</sup>. These regional and global acknowledgments do not make NEPAD a legally enforceable document. NEPAD is not a legally binding treaty or convention. As a result, nations enter into political agreements that they subsequently abide by at their discretion<sup>61</sup>. More crucially, NEPAD continues to be represented in its transactions by the Development Bank of Southern Africa despite the fact that it has no legal standing, cannot currently be sued, and cannot be taken to court. This is not the ideal strategy to employ while fighting to realize human rights, and more crucially, when realizing the RTD. Furthermore, all African nations that are members of the AU are automatically members of NEPAD, unlike nations that wish to participate in the APRM, which requires them to sign the MOU, another "soft" or non-binding document, as will be illustrated later<sup>61</sup>.

To support the continental approach, not all African countries should immediately join NEPAD or even the AU. The prerequisite for admission should be respect for human rights. Africa should follow the lead of Europe in this regard, where no European state has joined the European Union without first becoming a member of the Council of Europe. Membership in the Council of

Europe is based, among other things, on the candidate's achievement of stability of institutions guaranteeing democracy, the rule of law, human rights, and respect for and protection of minorities<sup>62</sup>. A provision for the expulsion of AU members that violate human rights and other AU laws after entering the Union ought to be included in the AU treaty in light of this.

The NEPAD Agency has selected a strategy direction based on six main areas for its operational model:

- i) food and agriculture security
- ii) natural resources and climate change management
- iii) infrastructure and regional integration
- iv) human empowerment and development
- v) cooperate and economic governance
- vi) gender issue base as well as information communications technology<sup>63</sup>.

The Agency's funding comes from the AU's statutory budgets, as well as from voluntary donations from its member nations, as well as from the corporate sector including private and public development partners<sup>64</sup>.

### **2.1.10.3 The Nexus of NEPAD and RTD**

As a result of the severe poverty, which resulted in massive debts and the inability to pay them, developing countries, including African nations, turned to the international community through the international financial institutions (IFIs), the pro-US World Bank and International Monetary Fund (IMF), to request loans<sup>64</sup>. At this time, neoliberal policies started to emerge in emerging countries. For the neo-liberalist, economic success depends on factors such as market competition, state disengagement, privatization of public enterprises, reductions in public spending on social programs, and a shift from human rights to rights of personal autonomy and

protection of property<sup>64</sup>. The neo-liberal concept is opposed to the Keynesian idea, which promotes government involvement in the economy through regulations, entrepreneurship, and the protection of small firms.

Structural Adjustment Programs, a kind of neoliberal policy, were implemented throughout Africa (SAPs). These policies, which were disastrously implemented in the continent of Africa throughout 80s, significantly accelerated poverty and marginalized the region<sup>64</sup>. From 1960 towards the end of 1980, Sub-Saharan Africa's failed statist economic model grew at an annual annual per capita rate of 1.6%, whereas during the SAPS period, Africa's GDP only increased by an annual per capita rate of 0.5%<sup>65</sup>. The SAPs that the IFIs imposed on developing nations were meant to benefit western corporations that could only buy public enterprises in those nations and who could profit from the donors' forced deregulations<sup>65</sup>. One could claim that the economics of emerging nations were manipulated to the developed world's advantage. The "Washington Consensus" was adopted, which called for increased free trade, financial realm liberalization, and increased privatization of public owned enterprises, all of which increased the trade deficit and excluded small local businesses, respectively<sup>65</sup>. Human rights, socioeconomic rights, and the RTD were not considerations for those who created these global capitalism policies. In order to pay off their debts to the North, underdeveloped nations were actually required to "invest less on education and healthcare." In this way, "the rights to be and remain human" were denied to Africans<sup>66</sup>.

Under the guise of "globalization," which is defined by the dictum of unaccountable, and anti democratic regional, international, financial organisations, and multilateral treaty frameworks, global justice is essentially merely thrown in the trash. In this regard, the (WTO) World Trade Organization, which was established on the ruins of the General Agreement on Tariffs and Trade

(GATT) in order to regulate trade for the development of all, has turned into a global capitalist organization whose regulations do not assist the developing world<sup>66</sup>. Under the WTO rules, wealthy countries are permitted to benefit their own companies through tariffs, quotas, anti-dumping levies, export credits, and substantial subsidies to domestic producers<sup>67</sup>.

Extreme poverty brought on by this tragic condition robs people of their integrity as well as their humanity, which is the basis for the RTD's allegation. Three significant issues specifically inform the RTD's claim:

- i) The effect on human rights of strong players outside of the developing state pursuing unfair rules controlling global markets.
- ii) The prevalent involvement of international economic institutions that continue to uphold neoliberalism (or its more contemporary variant);
- iii) The associated decline in domestic or state autonomy, which affects states' capacity to independently adopt their own social and economic, especially poor and less powerful nations<sup>68</sup>.

After the empirical content analysis of the Right to Development, the next sub-section of the research study focuses on the theoretical review adopted for the research.

## **2.2 Theoretical Review**

For the purpose of this research study, the study adopts cosmopolitan theoretical approach and capability approach to analyse Right to Development under the NEPAD's framework. Under the cosmopolitan theoretical approach, its analysis is broken up into three sections: the first will give a description of the cosmopolitanism approach, the next part offers a critique of the idea, while the third will concentrate on how it can be applied.

### **2.2.1 Cosmopolitanism Theoretical Approach**

The RTD is based on the cosmopolitanism ideology, which asserts that because all people share

similar moral standards, global justice should be practiced regardless of national boundaries<sup>69</sup>. The Greek words "cosmos" (world) and "polis" (city), which when combined form "cosmopolis," or world city, are the source of the word "cosmopolitanism"<sup>69</sup>. The idea that everyone has an innate capacity for reason and is therefore a part of the same community regardless of differences is where the idea of the "global city" originates<sup>69</sup>. So, to be cosmopolitan is to be a global citizen who doesn't consider things like gender, race, as well as other statuses. The cosmopolitanism ideology holds that all individuals should be treated equally, regardless of their nationality or citizenship, and that all human problems should be handled wherever they occur. It also holds that the individual is the center of moral thought.

Human status has a worldwide scope in support of the above assertion "neither race nor nation defines the values of a human being's life and experience. Cosmopolitan justice is what it is, and it knows no bounds<sup>69</sup>. In this sense, being a citizen requires setting aside one's own interests, identity, and culture in favor of the greater good of the community and taking an impersonal view of society<sup>69</sup>. This idea maintains that justice is global, knows no borders, and it is the responsibility of every person to safeguard the justice of every other person on Earth. It is based on the *jus gentium*, or law of the people, which is applicable to all nations.

In the book "The Perpetual Peace", cosmopolitanism is conceptualized from the context of morality<sup>70</sup>. In light of this, the world can be viewed as a single human family with moral equality among all of its members. Also, according to the interpretation of the postmodern state of nature, in order to choose the fundamentals of a just society, everyone abandons all social, political, economic, and cultural specificities<sup>71</sup>. However, post-modernist acknowledges that there are limits to how much an individual can be subordinated to the good of the group. The RTD's claim is informed by the notion of universal or global justice that underlies cosmopolitanism. The

literature claims that there are three main types of cosmopolitanism: utilitarianism, rights-based cosmopolitanism, and obligation-based cosmopolitanism<sup>71</sup>.

### **Utilitarianism**

Moral universalism, which is upheld by the community of nations, is a component of utilitarianism. Thus, utilitarianism simply denotes:

*"Is the moral theory that determines the rightness of activities in light of how they effect outcomes based on how well they provide the most advantages for all parties involved"*<sup>72</sup>

In this situation, the outcome defines whether an action was morally correct or immoral, and any initiative or action should, without exception, benefit all members of the community<sup>72</sup>. However, who is responsible for ensuring the poor's survival? Depriving a wealthy person of their fortune in order to protect the welfare of the poor would be unethical. Therefore, it is necessary to place more responsibility on states and other organizations, such as (IFIs) international financial institutions, donors, as well as governmental institutions (international order designers), so that they can fulfill their necessary functions in the globe. Additionally, utilitarianism viewpoint maintains that where no institution exists to assist a fellow human being, private participation is not harmful<sup>72</sup>. It might be argued that utilitarianism, which advocates for a global commitment to upholding human rights and cares for the underprivileged and developing world, is crucial for the achievement of the RTD.

### **The Rights-Based Cosmopolitanism**

The right not to be impoverished should be exercised both nationally and internationally, according to the rights-based cosmopolitanism, which also emphasizes that communities and individuals have a moral obligation to help their neighbors as well as the larger human family<sup>73</sup>. Thus, this idea includes a moral foundation for human rights. Right-Based Cosmopolitanist

assert that everyone should have access to fundamental requirements like food, water, and housing since without these, he or she cannot survive<sup>73</sup>. These basic necessities include "basic human interests," "basic rights," as well as the right to subsistence<sup>73</sup>. The fundamental tenet of their reasoning is that everyone has a right to the bare necessities of life, and those who don't have them should demand assistance from those who can. To every privilege, however, there comes a corresponding duty. "A has the right to food" indicates a legal right. It is a claim made by A against B, who has the obligation to provide. If A has a right to food, then follows that B has a responsibility to feed A. When B must take action to bring food to A, this is an example of a positive duty. Because it requires purposeful action rather than merely omission, the right to subsistence is a positive right<sup>74</sup>.

The obligation could also be detrimental, requiring B to refrain from taking any action that would prevent A from enjoying his meal. B should not interfere with A's ability to get food in this situation. The "responsibility to prevent depriving right-holding individuals of the content of the right" is what is referred to as here. It is crucial to keep in mind that the obligation bearer could be a person, a state, a financial organization, or the entire international community. The rights-based cosmopolitanism, in general, also implies obligations to protect the rights-holders from being deprived of the rights content and duties to aid deprived rights-holders when avoidance and protection have failed<sup>74</sup>. According to this philosophy, everyone has the right to aid, and those who are in a position to provide assistance also have an obligation to do so.

Who now owes an obligation to uphold the fundamental rights we previously discussed? According to the rights-based cosmopolitanism, all people have a moral obligation to help their fellow humans out of respect for their humanity, and the international community of states has a responsibility to help through cooperation, which is where NEPAD comes into play as will be

demonstrated later. Or, to put it another way, the framework provided by the rights-based cosmopolitanism is suitable for avoiding the structural causes of human rights violations. However, this theory's flaw is that it makes the premise that all actions are guided by human rights or that everyone lives in a "human rights society." Unfortunately, a lot of individuals do not understand what human rights are. However, a lack of understanding of human rights cannot excuse the reluctance to give food or clean water to a fellow human being who depends on them for survival<sup>74</sup>.

In contrast to rights-based cosmopolitanism, there is a need to assist the poor but does not think that this duty entails the poor's right to assistance. In this aspect, the impoverished have no right to aid, and the responsibility to provide a hand falls under the purview of virtue, not right. It is argued that the RTD may be realised if a rights-based cosmopolitanism is applied for two key reasons: First off, nation-states continue to be the principal duty bearers of the right for their citizens and are therefore required to take all necessary steps to provide the right. States that are in a position to aid the poorest states should do so. Second, wealthier states have a duty to refrain from taking any negative acts or adopting any negative policies that will obstruct the RTD in developing nations. For instance, efforts performed on a global scale through the WTO, TRIPS, and AoA accords will help to realize the RTD. The impoverished shouldn't suffer harm or lose access to their rights as a result of these acts. Similar to this, the IFIs' actions and policies ought to be supportive of RTD. However, as will be shown later, this is not taking place.

### **Obligation Based Cosmopolitanism**

Also known as the Duty-Based Cosmopolitanist approach holds that a right only exists in the presence of a positive obligation to exercise it; without such an obligation, the right does not exist<sup>75</sup>. It asserts that "to any right, there is a correlative duty". It similarly states that the right to

food implies a counterpart obligation to give that food which everyone has a right to<sup>75</sup>. Thus, only perfectly obvious and explicit requirements belong in the category of rights, whereas actions taken to end poverty or fulfill imperfect obligations fall under moral or ethical considerations. The abstract nature of an idea like freedom from poverty makes it difficult for it to be included in the category of rights and also makes it difficult for it to be enforced<sup>75</sup>.

### **2.2.2 A Critique of Cosmopolitanism Approach**

Those who oppose cosmopolitanism call for independence and self-sufficiency. Without the aid of others, they believe in themselves. They contend that the world is not a giant retail mall where everything is available for free to everyone who wants it. Individualism, nationalism as well as liberalism are cited by critics of cosmopolitan approach as being fundamentalist beliefs supporting their position.

#### **Nationalism**

Cosmopolitanism, which disregards patriotism or the strong devotion to a state, is opposed by nationalists. Nationalist contends that it's preferable to have national pride, than to lack it<sup>75</sup>. Nationalists contend that cosmopolitanism is merely idealistic and unpractical. The concept of cosmopolitan justice is said to be out of touch with what is of value to ordinary human beings. The more conventional nation-state, citizen-of-a-single-country paradigm is just as problematic in the context of globalization.

*“Of course, national bias is what the idea of cosmopolitanism is typically thought to oppose, but the relationship between the two is more nuanced than this... A massive, all-encompassing undertaking that goes well beyond ourselves and our families, nationalism exhorts quite a loftily abstract level of commitment”<sup>40</sup>*

People therefore have no control over where they were born, their culture, or any other

characteristics they have acquired as a result of their nationhood. As a result, cosmopolitan openness will be promoted

### **Liberalism and Individualism**

Modern rights discourse is built on the classic liberal concept of what it means to be a human. From Locke's perspective, it is a notion that portrays a person living alone on a remote island, carefully preserving his freedom and property<sup>76</sup>. Central to the idea are the six words "my, my, mine, myself, and I." Asserting that "there are only individual people, diverse individual humans, with their own unique lives. Even in a situation where people must live in harmony with one another, their actions and the institutions that control them are entirely motivated by their own self-interests, with little regard for the requirements of the entire community<sup>74</sup>."

Liberals assert that their ideology provides the necessary synthesis between cosmopolitanism and nationalism because it allows for patriotism without undermining the notion of universal equality. The problem with liberalism is that it does not provide the appropriate framework for eliminating poverty and achieving the RTD, unlike cosmopolitanism. In fact, as was already demonstrated, one could contend that it supports the right of the strongest individual while neglecting the weakest.

### **2.2.3 Cosmopolitan Theoretical Approach and the Right to Development**

The cosmopolitan theoretical approach provides a unique perspective to understand the concept of the right to development. Rooted in the belief that all individuals share a common humanity, irrespective of their nationality or social status, cosmopolitanism emphasizes the importance of recognizing and respecting the equal worth and dignity of every human being. In this context, the right to development can be seen as an essential component of achieving global justice and

ensuring equal opportunities for all<sup>74</sup>. The right to development is a fundamental human right recognized by various international instruments, including the United Nations Declaration on the Right to Development. It asserts that every individual has the right to participate in, contribute to, and benefit from the process of economic, social, cultural, and political development. Cosmopolitan theory offers valuable insights into understanding and justifying this right. At its core, cosmopolitanism challenges traditional conceptions of sovereignty by emphasizing that states have obligations not only towards their own citizens but also towards individuals beyond their borders<sup>73</sup>. This implies that states should actively work towards creating conditions conducive to the realization of human rights globally, including the right to development. Cosmopolitanism recognizes that poverty and underdevelopment are not merely national problems but global issues requiring collective action.

From a cosmopolitan perspective, the right to development is closely linked with principles of distributive justice. It argues that resources and benefits should be distributed equitably among all individuals worldwide, regardless of their nationality or place of birth<sup>74</sup>. This means that states have a responsibility to address global inequalities and promote sustainable development practices that prioritize fairness and inclusivity. Furthermore, cosmopolitanism highlights the importance of cross-border cooperation in realizing the right to development. It encourages states to engage in dialogue, exchange knowledge and expertise, and provide assistance to each other in order to overcome common challenges related to development<sup>73</sup>. This can take various forms such as sharing technological advancements or providing financial support for capacity-building initiatives in less developed countries. In addition, cosmopolitan theory emphasizes the significance of human rights as universal and indivisible. It argues that civil, political, economic, social, and cultural rights are interdependent and mutually reinforcing. Therefore, the right to

development cannot be fully realized without ensuring the protection of other human rights such as the right to education, health, or participation in decision-making processes<sup>71</sup>.

Critics of cosmopolitanism may have argued that it neglects the importance of national sovereignty and places too much emphasis on global obligations. However, proponents argue that in an increasingly interconnected world where challenges like poverty, inequality, and climate change transcend borders, a cosmopolitan approach is necessary for promoting sustainable development and protecting human rights for all. Thus, the cosmopolitan theoretical approach offers valuable insights into understanding the concept of the right to development. By emphasizing principles of global justice, distributive fairness, cross-border cooperation, and the interdependence of human rights, cosmopolitanism provides a compelling framework for realizing this fundamental right. It calls upon states to recognize their responsibilities towards individuals beyond their borders and work collectively towards creating a more just and equitable world.

#### **2.2.4 The Capability Approach**

The capability approach, developed by economist philosopher is a comprehensive theory that provides a framework for assessing and promoting human development<sup>76</sup>. It seeks to go beyond traditional measures of development, such as income or GDP, by focusing on people's capabilities - their freedom to pursue the kind of life they have reason to value<sup>76</sup>. At its core, the capability approach asserts that development should be understood as the expansion of people's capabilities: the opportunities and freedoms they have to live lives they value. Capabilities encompass both substantive freedoms (what a person can effectively do) and valuable functionings (what a person actually does)<sup>76</sup>. Individuals possess a range of capabilities that

allow them to lead lives that are meaningful to them. These capabilities may include basic physical needs like food, water, and shelter but also extend to more complex dimensions such as education, health, social participation, political rights, personal security, dignity, and cultural identity. The capability approach argues that it is not enough to focus solely on economic growth or material resources. Instead, policies and interventions should aim at expanding individuals' freedom to choose their own goals and pursue them effectively. By enhancing various dimensions of human capabilities, societies can foster genuine human development.

The capability approach, is a comprehensive framework that focuses on evaluating and promoting individuals' well-being and freedom. It places emphasis on people's capabilities rather than just their material conditions or income levels. It argues that true development should not be measured solely by economic growth but should also consider the opportunities available to individuals to lead valuable lives<sup>75</sup>. The capability approach stems belief that the purpose of development should be to expand human freedoms and enhance people's capabilities to do and be what they value. It goes beyond a narrow focus on income or GDP growth to encompass a broader set of dimensions that affect people's lives. People have varying abilities, aspirations, and preferences, so there is no one-size-fits-all solution for development. In the capability approach, "capabilities" refer to the various alternative combinations of functionings available to an individual<sup>77</sup>. Functionings are defined as the things individuals can do or be – such as being healthy, educated, having access to clean water, participating in decisions affecting them, etc. Capabilities are thus the substantive freedoms individuals have to choose among these different functionings.

Its theorist distinguishes between two types of capabilities: “basic capabilities” and “conversion capabilities<sup>77</sup>.” Basic capabilities refer to those fundamental capabilities necessary for human well-being regardless of personal choices. These may include being free from hunger and disease or having basic education and healthcare. Conversion capabilities refer to the freedom an individual has in converting resources into functioning achievements based on personal choices<sup>76</sup>. Individuals should have the freedom to decide what kind of life they want to lead without external constraints hindering them. The capability approach recognizes that people may face various barriers such as discrimination, social norms, inequality, or lack of access to resources that restrict their agency. Moreover, the capability approach emphasizes the importance of evaluating well-being beyond material conditions alone. It recognizes that people’s lives are shaped by multiple factors – including their physical and mental health, education, social relationships, political participation, and environmental conditions<sup>77</sup>. By taking a multidimensional view of well-being, Sen argues that policies should aim to enhance people’s capabilities in all these dimensions rather than focusing solely on economic growth. The strength of the capability approach lies in its ability to capture the richness and diversity of human lives. By focusing on capabilities rather than outcomes or resources alone, it acknowledges the intrinsic value of freedom and choice. This approach is particularly valuable for evaluating development policies as it allows for a more comprehensive assessment of their impact on individuals’ lives. Furthermore, the capability approach promotes a participatory perspective by involving individuals in defining what constitutes a “good life” based on their own values and aspirations<sup>78</sup>. This bottom-up approach ensures that development initiatives are more inclusive and accountable to people’s needs and desires.

Overall, capability approach offers a robust framework for understanding development beyond traditional economic measures. By focusing on enhancing people's freedoms and opportunities to lead valuable lives, it provides a valuable perspective for policymakers and researchers seeking to promote human well-being in a holistic manner.

### **Limitations of the Capability Approach**

While the capability approach has gained significant recognition and has been influential in various areas, it also faces some criticisms and weaknesses. For the purpose of this research study, some limitations of capability approach are explored<sup>74</sup>. One weakness of the capability approach is its lack of a clear measurement methodology. Unlike other well-being frameworks such as GDP or the Human Development Index, which provide quantifiable indicators, the capability approach relies on more subjective evaluations<sup>76</sup>. This subjectivity makes it challenging to compare or rank different individuals' capabilities objectively. Critics argue that without concrete measures, policymaking based on capabilities becomes difficult.

Another limitation of the capability approach is that it does not explicitly account for resource distribution within society. While Sen emphasizes equality and social justice as important values in assessing well-being, his framework does not provide guidance on how resources should be distributed to achieve these goals<sup>77</sup>. This omission can be seen as a weakness because resource allocation plays a fundamental role in determining individuals' capabilities and opportunities.

Furthermore, critics argue that the capability approach does not adequately address cultural diversity and context-specific considerations. The evaluation of well-being through capabilities may differ across cultures due to variations in values, norms, and priorities. Without accounting

for these contextual factors, there is a risk of imposing universal standards that may not align with diverse cultural perspectives. Additionally, some commentators argue that capability theorists focus on individual capabilities neglects collective or societal dimensions of well-being<sup>77</sup>. The capability approach prioritizes individual freedom and agency but pays less attention to social relationships, community participation, and shared objectives. By focusing solely on individual capabilities, it may overlook important aspects of well-being related to collective decision-making processes and community cohesion. Another criticism relates to the limited attention given to environmental sustainability and the ecological limits of the planet. The capability approach primarily focuses on human well-being without explicitly considering the impact of our actions on the environment. As societies face increasing environmental challenges, it becomes crucial to integrate ecological considerations into well-being frameworks to ensure long-term sustainability<sup>74</sup>.

Moreover, the capability approach has been criticized for its practical feasibility<sup>77</sup>. Critics argue that implementing this framework at a policy level may be difficult due to its complexity and subjectivity. The need for significant data collection, evaluation, and decision-making based on multiple capabilities increases administrative burdens<sup>77</sup>. This challenge can hinder the practical application of theorist ideas within policymaking processes. Lastly, some critics argue that the capability approach lacks a clear ethical foundation<sup>77</sup>. While capability theorists emphasize freedom and equity as key values in assessing well-being, his framework does not provide a definitive ethical basis for these values. This lack of an overarching ethical framework can make it challenging to address normative questions or conflicts between different sets of values. Thus, while the capability approach offers a valuable perspective on measuring human well-being beyond traditional economic indicators, it is not without its weaknesses. These weaknesses include

challenges in measurement methodology, resource distribution, cultural context, collective dimensions of well-being, environmental sustainability, practical feasibility, and an explicit ethical foundation. Recognizing these limitations allows for a more nuanced understanding of the capability approach and encourages further dialogue on improving and refining this influential framework.

### **2.2.5 Capability Approach and the Right to Development (RTD)**

The Capability Approach, developed by provides a comprehensive framework for analyzing and evaluating well-being and development. It focuses on the individual's capabilities or freedoms to lead lives they have reason to value<sup>75</sup>. In this context, the Right to Development can be understood through the lens of the Capability Approach. The right to development, as enshrined in various international declarations and agreements, recognizes that all individuals have the right to participate fully in economic, social, cultural, and political spheres of their societies<sup>77</sup>. It emphasizes the importance of creating conditions that enable people to enhance their capabilities and expand their choices. According to Capability Approach, development should not be solely measured by economic growth or GDP figures. Instead, it should prioritize expanding people's real opportunities and enhancing their well-being. Capability theorist argues that human development should be seen as a process of enlarging people's capabilities - their freedom to choose and pursue a life they value<sup>77</sup>.

In the context of the Right to Development, Capability theorist approach suggests that it is not enough to focus solely on increasing income or material resources<sup>78</sup>. Development efforts should aim at ensuring that individuals have access to basic goods such as healthcare, education, clean water, sanitation facilities, and social protection systems<sup>78</sup>. These are essential capabilities that

enable individuals to lead fulfilling lives. Moreover, its theorist emphasizes the importance of agency in shaping one's own destiny. The Right to Development necessitates empowering individuals with the freedom to participate in decision-making processes that affect their lives<sup>78</sup>. This includes political participation and access to justice systems that protect their rights. The Capability Approach also highlights the significance of social arrangements and institutions in promoting development. It recognizes that inequalities within societies can hinder people from realizing their full potential<sup>77</sup>. Therefore, policies aimed at achieving equitable distribution of resources and opportunities are crucial for fostering development.

By using Capability Approach, the Right to Development becomes more than just an abstract concept. It becomes an actionable framework for policymakers and governments to assess their development strategies and ensure they are addressing the diverse capabilities of individuals. This approach emphasizes the importance of a people-centered approach that takes into account the unique circumstances, needs, and aspirations of individuals within a society<sup>77</sup>.

For example, in the context of education, it is not enough to focus only on increasing enrollment rates. The Capability Approach would require ensuring the quality of education, access for marginalized communities, and curriculum that nurtures a broad range of capabilities such as critical thinking, problem-solving, creativity, and empathy. Similarly, in terms of healthcare, the right to development would necessitate not only universal access but also quality healthcare services that address different dimensions of well-being. This includes preventative care, mental health support, and equitable distribution of resources across regions.

Thus, using Sen's Capability Approach to understand the right to development provides a comprehensive framework for assessing and promoting human well-being. It shifts the focus

from mere economic indicators to individual freedoms and opportunities. By adopting this approach, policymakers can design more inclusive and effective development strategies that prioritize enhancing people's capabilities and enabling them to lead lives they have reason to value.

### **2.3 Review of Empirical Studies**

The first scholarly empirical review this research study analyses is titled "*Human right diplomacy and the democratic project in West Africa*<sup>79</sup>" stressed the nexus between human right and diplomacy. The research was a descriptive research. Similarly, the researcher employed qualitative use of data while the data made use to conduct the research was collected via secondary source. The population of the study was arbitrary not chosen due to the fact that the researcher employed a qualitative research and secondary sources of data collection.

The diplomacy of human rights in West African countries is the central of this thesis. It examines the ways in which human rights concerns are formulated in both practice as well as policies within the realm of international relations in order to realize the objective of the democratization of totalitarian regimes<sup>79</sup>. The worlds' post-Cold War international order, whereby democracy as well as human rights become the two most important points of reference in the Western world's practice of foreign affairs, served as the context for this study. Case studies of Nigeria, Senegal, and Ghana were being used in the research work with the intention of achieving the primary purpose of the research work, which is to provide a perspective into the societal dynamics that played a vital part in the process of democratization in West African region.

These states were selected in order to guarantee that both the Anglophone and Francophone domains are adequately represented. In the research study, the researcher claim that human rights diplomacy had a role in the progress of democratization in the West African region; nonetheless, it's not really an adequate guaranty for consolidation of democratic rule, and also the economic health of society is necessary for attaining consolidation<sup>79</sup>. In this context, the research identified the institutional frameworks for recognizing human rights diplomacy as civil society, the state, as well as the international community. The agencies that are responsible for global management are investigated, and the neoliberal economic agenda that they promote is analyzed. A specific focus on human rights breaches in Ghana, the annulled presidential elections in 1993 and the 1995 Ogoni crisis in the Niger Delta region of Nigeria, as well as the Casamancais dispute in Senegal brought the connection of the characters involved in human rights diplomacy to the forefront. The research work contends that the nudge for democracy by agents of global governance aligns with the expectations for political as well as the socio-economic freedoms by Africans; however, there is a divergence in content in terms of the limitation and constrain of liberal democracy, which places importance on negative rights at the expense of the material wellbeing of the entire populace<sup>79</sup>.

Lastly, the researcher concluded that democratization of the international system is required if the objective of democracy is to avoid being a pipe dream for the foreseeable future.

Another scholarly work reviewed to buttress this research work is titled "*Organisation of African Unity and the Promotion and Protection of Human Rights in Africa*"<sup>80</sup>. The researcher similarly adopted the descriptive research design for the research work. The researcher subsequently relied on qualitative research method and the secondary sources of data collection was employed for the research due to the fact that a lot of research has been carried out relating to the researchers

topic. The main purpose of the research work is examining the protection and promotion of human right in the African region from three primary perspectives—namely, cultural and historical perspectives, regional legal and national regimes for the protection as well as the promotion of human rights in Africa. The thesis is sub-divided into a total of eight different chapters. The cultural and historical foundations of human rights in the African region was investigated in the chapter one of the book. The comparison of the western concept of human right to the African concept of human rights was better understood with the aid of the background provided by an analysis of the socio-legal concerns that was brought up in the area. Additionally, consideration is given to how the traditional African idea of human rights has influenced the AFCHPR<sup>80</sup>.

The chapter two of the research work took a look at the history background of OAU, paying particular attention to the role that issues pertaining to human rights had in the factors that led to the organization's establishment<sup>80</sup>. In order to establish the importance of OAU Charter as well as the duties of its primary organs to the protection and promotion of human rights, an examination of both of these aspects was carried out. In order to establish the importance of OAU Charter as well as the duties of its primary organs to the protection and promotion of human rights, an examination of both of these aspects carried out. The third chapter explored the idea of self-determination in the context of Africa as it is promoted by the Organization of African Unity (OAU) as well as the United Nations. This examination includes a comparative analysis of the approaches taken by both organizations toward the idea of socio-economic self-determination<sup>80</sup>.

In the fourth chapter, the researcher investigated the ways in which racism, ethnicity as well as apartheid have served as roadblocks to the promotion and protection of human rights in on the

continent. An analysis of the alternative solutions to such issues is currently under way, with a particular focus on the legitimacy of providing financial and military help to revolutionary struggles as well as diplomatic and economic penalties levied against such racist regimes<sup>80</sup>. The fifth chapter investigates the ways in which the constitutions of states in Africa treat the protection of human rights. Additionally, consideration is given to whether or whether the provisions of these rights are included in the states' constitutions and also are compatible with the AFCHPR<sup>80</sup>.

In the sixth chapter, the researcher begins the investigation of the development of the regional apparatus in Africa that is responsible for protection as well as promotion of human rights. The importance of current international and regional human rights protocols to African states, as well as their relevance and influence were also investigated<sup>80</sup>.

In the seventh chapter of the research work, the researchers conduct both an examination of the socio-political consequences and a legal analysis of the AFCHPR document. A review of the current situation on human rights in Africa can be found in the concluding chapter. Additionally, it provided answers to the questions that have been asked throughout the course of investigation. The success of the growing African legal framework for the protection and promotion of human and peoples' rights was, in the end, be contingent on the cohesiveness of human rights initiatives at the regional, national, as well as the international levels. The success of the growing African legal framework for the protection and promotion of human and peoples' rights was, in the end, be contingent on the cohesiveness of human rights initiatives at the regional, national, as well as the international levels<sup>80</sup>. Finally, the research work made an attempt to navigate the complex web of regional, national, as well as international legal frameworks for the protection and promotion of human rights, with a focus on their application in the African political space<sup>80</sup>.

Another research study review in the course of this study is “*realizing the effective enforcement of civil and political rights in Africa: an analysis of the African charter on human and peoples’ rights*<sup>81</sup>”. The researcher employed descriptive design and secondary data was employed during the course of the research. The researcher opined that the task of establishing the benchmark for human rights is close to being finished, and the organizations responsible for enforcement and monitoring are functioning as they were designed to. Research has demonstrated that human rights violations, in particular violations of political as well as civil rights, are common in several African states; this may be due to the fact that the intention are somewhat limited. In the research work, the focus was on realizing effective regulation of political and civil rights by utilizing the institutional and normative framework of the African Charter on Human and Peoples' Rights to apprise both the insight of and the difficulties to African regional enforcement<sup>81</sup>. Specifically, the African Charter on Human and Peoples' Rights is used to inform both the understanding and the challenges. In the research work, the emphasis is placed on developing ideas that are institutionally and normatively open to the possibility of reform in the African human rights system. It puts out an idea for revising the African Charter in such a way that it takes into account the adjudication of the African Commission and the African Court rather than importing it from other international or regional treaties<sup>81</sup>.

During the course of the research work, scholarly debates and an analysis of the African Charter on the protection of political and civil rights are provided. In the first place, it examines the international protection of contemporaneous human rights in accordance with the International Covenant on Political and Civil and the Universal Declaration of Human Rights, in particular with respect to the European Convention on Human Rights as well as the American Convention on Human Right<sup>81</sup>. This was done in order to highlight the recognition and significance

of political and civil rights in the international arena and to establish a base in which the institutional as well as the normative protection of the African Charter can be analyzed. Following that, it relates the institutional and normative protection of the African Charter to the commitments of member nations so as to comprehend the overall view of the challenges and prospects of the African Charter's enforcement of political and civil rights. The research work similarly investigates whether or not African nations are living up to their commitments under the African Charter by citing states like Benin, Tanzania, and Nigeria as case-studies to better comprehend how state parties execute the political and civil rights articles of the African Charter<sup>81</sup>. In conclusion, the researcher opined that, the evidence presented in the research work illustrates that sections of the African Charter pertaining to political and civil rights can be effectively implemented with the implementation of relevant reforms.

Another scholarly work reviewed to buttress this research study is titled “*Conflict and Development in Nigeria Counterinsurgency and Counterterrorism Strategies towards the Niger Delta and Boko Haram Conflicts*”<sup>80</sup>. The researcher similarly adopted the descriptive research design for the research study. Similarly, the researcher subsequently relied on qualitative research method and the secondary sources of data collection was employed for the research due to the fact that a lot of research has been carried out relating to the researchers topic. The researcher opined that since Nigeria's return to democratic governance in 1999, ending several years of military dispensation, there has been an increase in violent conflicts resulting to terrorism and insurgency<sup>80</sup>. Among the country's armed struggle, Boko Haram insurgent group as well as Niger Delta militancy holds out because they have had an impact on the entire world, prompting international and national counter-insurgency initiatives. Military retorts continue to be used most frequently, but development rebuttals are also used more frequently. It is believed

that tackling problems of poverty, alienation, underdevelopment is more essential to resolving modern conflicts. In this sense, human security is prioritized over state security, and development and security are intertwined<sup>80</sup>.

The relationship between security and development, however, is rife with inconsistencies, and the idea of human security is nebulous. Development intervention seems to have been commodified to the point where it is now used both as a tool for domestic interventionists to exert control over and to protect the vital interests of foreign interventionists. To resolve the conflict between development and security, this thesis considers the possibility of a human rights-based approach to development. It makes an intellectual effort to analyze the relationship between the three ideas in light of the conflicts in the Niger Delta and with Boko Haram<sup>80</sup>. The research study looked at the vital issues and concerns that have come up regarding the effectiveness of external and internal development interventions made in response to the Niger Delta as well as Boko Haram conflicts<sup>80</sup>.

In order to gather data for the exploratory research study, three sources were used. That is, the focus groups, interviews, observation and documentary analysis, and. In both external and internal interventions, the research study identifies evidence of a new paradigm toward a rights-based approach and strategies to development. Thus, this approach still succumbs to corruption and securitization and has a negative impact on sustainable development. However, retorts to the Boko Haram and Niger Delta conflicts have repercussions that support both broad-based and targeted reactions to specific conflicts. Furthermore, the research study reveals that there is a less vertical relationship between Nigeria and its external or outside development partners<sup>80</sup>.

Another scholarly work reviewed to buttress this research study is titled “*Managing Religious Conflicts in Nigeria: The Inter-Religious Mediation Peace Strategy*”<sup>81</sup>. The researcher employed an exploratory research to carry out the research work. Thus, qualitative research method was similarly employed while secondary data was used to gather resource for the research work.

The researcher emphasized that Christians as well as Muslims coexist in Nigeria, a nation of more than 150 million people. Along with profound political conflicts that cut over religious boundaries, the country's religious divide cuts across more than 250 nationalist groups<sup>81</sup>. Numerous "hotspots" across the nation have seen prevalent violent religious strife during the past 10 years, which has had a catastrophic effect on the populace and on the peaceful co - existence in the Nigeria. The civil unrest over Danish cartoonist depicting the Prophet Mohammed in 2006, the February 2000 anti-Sharia turmoil in Kaduna, the religious unrest in Bauchi State in 2001 and 2004, the dispute over an alleged insult to Islam during a miss world pageanty in 2002, and the August 2009 Boko Haram onslaught that caused major havoc in the country's northern regions are all unsettling signs of this circumstance<sup>81</sup>. Consequently, it's not astounding that the Nigerian Federal Government as well as a few non-governmental organizations had made the decision to give this issue special attention by putting in place cutting-edge structures created to offer viable alternatives to the occurrence of extreme religious conflicts in the state. Without a question, the interreligious mediation body is a vital and essential tool for bringing about enduring peace in the nation's diverse religious communities<sup>81</sup>. Therefore, the following questions were answered in the course of the research work: The key criteria for an effective interreligious mediation strategy in terms of managing, preventing, and fostering peace in relation to religious conflict<sup>81</sup>. The most realistic alternatives for boosting the interreligious mediation group's potential to successfully settle religious disputes in the nation<sup>81</sup>. In summary,

the research study looked into the numerous religious disputes in relation to the peace approach of the local "inter-faith mediation" organisations.

“Development and *Terrorism Nexus: The Boko Haram phenomenon in Nigeria and its Suburb*” stressing the negative effect of this insurgency in Nigeria and West Africa on development<sup>79</sup>. The research was a descriptive research. Based on the researcher's analyzes, qualitative and quantitative methods of research was employed. The population of the study was arbitrary not choosen. The researcher stressed that the militant group Boko-Haram, in the Nigerian state has alarmed both the Nigerian government and the international world, particularly after the self-acclaimed bombing of the UN offices in Abuja in the 2011. The dreaded group had launched a number of attacks in the state since then, murdering thousands of civilians. Numerous justifications have been offered for this occurrence. While certain thought as well as government figures in and out of the state (Nigeria) have linked injustice, poverty, as well as a lack of civil freedoms to the Boko-Haram insurgency, others do not share this point of view<sup>79</sup>.

The researcher opined that the research study made an effort to dispel the myth that Boko Haram's insurgency was caused by poverty<sup>79</sup>. While poverty may have been a necessary component, it was not enough to turn Boko-Haram into a terrorist organization. It rejects Krueger's assertion that a lack of civil liberties is the primary driver of terrorism as well as Gurr's theory that relative deprivation served as a prelude to the Boko-Haram crisis<sup>79</sup>. Using only a theory to explain terrorism in comparison to the resurgence of Boko Haram is riddled with shortcomings. Using the same yardstick to measure both insurgencies will ultimately lead to the distortion of facts because, for instance, the circumstances that led to the Tamil insurgency in Sri Lanka are very different from those that led to Boko Haram<sup>79</sup>.

This research study linked Boko Haram's ideological commitment to Islam to the group's transformation<sup>79</sup>. Any kind of law that is not founded on the Koran is rejected by this belief system. Furthermore, it showed how fundamentalism affected the group's transformation and how the political opportunity structure contributed to it<sup>79</sup>. The structural modification gave them a platform from which to voice their demands. During a despotic military regime where the only word in their vocabulary was repression, such a thing would not have occurred. Dreaded Groups such as Boko Haram activated their boundaries during Nigeria's democratic regime because they were aware of the implications of this.

Additionally, it was made abundantly clear by the research study that Boko-Haram's ideological shift, which contrasts with Nigeria's secular democratic ideology, is a result of that ideology<sup>79</sup>. This is an ideological conflict between two political parties. A terrorist act usually implies an underpinning power and a legitimizing ideology. It should go without saying that Boko Haram tried to elevate its own ideology above the secular ideology in the Nigerian state, thus, this inevitably resulted in the political conflict that is currently wreaking havoc on the nation. Terrorism and contentious politics both involve mechanisms and processes; they do not occur accidentally. In light of this, Boko Haram's transformation did not occur overnight; rather, it was the result of several processes that are described in the research study. Yes, the group had grievances and held fundamentalist ideologies, however, their grievances only became apparent when they initiated their boundary by forging their own identity, which was made possible by the establishment of the political arena to a range of viewpoints<sup>79</sup>.

The researcher opined that it's rather pitiful that Nigeria has been labeled a terrorist nation as a result of Boko Haram's operations, which have had a terrible influence on the nation. It has been difficult for a nation to draw foreign investors in order to grow its economy, which yearns for

foreign direct investment. Additionally, Boko haram's activities in the north of the country have halted social and economic activity. Moving back to the south to live and conduct their economic activities in great numbers has even fueled fears that the nation may fall apart if the government does not effectively combat the Boko Haram insurgency. Reprisals intrusions by Christian faithful whose place of worship were blown up in Kaduna have also been reported, fueling civil strife. If the situation escalates into religious conflicts, the country may not survive.

The research study recommended that, even though the issues of poverty, injustice, and a lack of civil liberties were major factors in the resurgence of Boko Haram, the Nigerian government must make every effort to implement programs that would lift disgruntled Nigerians out of economic deprivation in order to prevent organizations like Boko Haram from having ready-made weapons for their nefarious activities.

Also, in order to fulfill its legal obligation of monitoring the inflow and outflow of people, the Nigerian government must step up border patrol, particularly with Cameroon, Niger, and Chad effectively strengthen the Nigerian immigration. By doing this, organizations like Boko Haram will find it more challenging to enter and operate in Nigeria. In addition to being fully prepared, security personnel, in particular the Police and State Security Services, should also take a proactive approach to fighting Boko Haram rather than relying solely on the use of force after each terrorist assault. The Nigerian government should set up a system that enables financial institutions to keep track of all irregular financial activities. This will allow the government to identify the group's financial sponsors. Nigeria should work with the international community to combat Boko Haram by exchanging information that could help to weaken the organization's capabilities. Because Boko Haram cannot be defeated with violence and repression alone, the

government should be prepared to engage in negotiations with the moderate members of this group<sup>79</sup>.

The present research study aims to investigate the phenomenon of woman's right and political participation among women in Pakistan. The political history of Pakistan reveals a notable disparity between the population size of women and their limited involvement in politics. This research paper examines the extent of women's political participation and representation within the political landscape of Pakistan. The examination of women's participation in the political process will be undertaken through an analysis of both historical and contemporary contexts. Throughout history, the participation of women as representatives in the legislative assemblies of Pakistan has been notably restricted. Over the past two decades, notable efforts have been undertaken to improve the level of women's political representation within the nation. In the context of Pakistan, the participation rate of women in voting has consistently exhibited lower levels in comparison to their male counterparts across all general elections conducted in the country. The examination of female voter participation will be investigated in the upcoming national elections. The study further examines the variables that influence women's engagement in political activities within the nation. This research paper highlights the social barriers that have presented obstacles for women in their efforts to actively participate in Pakistan's political system. Political participation extends beyond the sole objective of securing representation within legislative assemblies. The concept encompasses a diverse array of political engagements, including participation as a voter and affiliation with a political party, among other activities<sup>82</sup>.

This scholarly study centres on the discourses surrounding the requirement for Women's Right and Women's Representation of a minimum of 30% in the nomination of legislative members as

stipulated by Law No. 7 of 2017 pertaining to Elections. In this scholarly article, the author presents two significant discussions. The first pertains to the fundamental rationale behind advocating for a minimum 30% representation of women in legislative nominations. The second discussion focuses on the legal ramifications associated with implementing such a rule. In order to address the two discussions at hand, the author employs a normative juridical legal methodology by examining legal materials and literature sources pertaining to the chosen theme. The study's findings revealed a number of pressing concerns pertaining to the regulation of women's representation in legislative nominations, specifically with regards to achieving a minimum threshold of 30%. Participants in elections who fail to adhere to these regulations face disqualification from the electoral process within the relevant electoral district. Furthermore, these regulations also function as a legal safeguard against the exclusion of women from the political process<sup>82</sup>. The regulations pertaining to the representation of women in Indonesian politics have demonstrated a beneficial influence. However, it is imperative to subject these regulations to a comprehensive evaluation and refinement process in order to ensure the continued enhancement of women's representation. The present study aims to investigate the extent of political participation among women in Pakistan. The political history of Pakistan reveals that despite their significant population size, the involvement of women in politics has been relatively limited. The present research paper focuses on the topic of women's political participation and representation within the political landscape of Pakistan. The examination of women's participation in the political process will be undertaken with consideration of both historical and contemporary contexts. Throughout history, the participation of women as representatives in the legislative assemblies of Pakistan has been notably constrained<sup>82</sup>. Over the past two decades, substantial efforts have been undertaken to improve

the level of women's political representation within the nation. In the context of Pakistan, the participation rate of women in general elections has consistently exhibited lower levels compared to their male counterparts. The examination of female voter participation will be investigated in the upcoming national elections. The study further expounds upon the variables that influence the level of women's engagement in political activities within the nation. The research paper highlights the social barriers that have presented obstacles for women in their pursuit of meaningful participation within Pakistan's political system. Political participation extends beyond the mere objective of securing representation within legislative assemblies. The concept encompasses a diverse array of political engagements, including participation as a voter and affiliation with a political party, among other activities<sup>82</sup>.

This study took a methodical strategy to gathering data for the current investigation, and one of those approaches assessed how important it was to see occurrences in order to gain personal viewpoints for the study. Information provided by the author suggests that the first stage of the investigation procedure entails the researcher making an effort to amass a collection of evidence that may be used to improve one's knowledge of the study subject. "Data" is the term that is most frequently utilized within the sphere of academic study to refer to this particular category

of information. It is essential for the evidence examined by qualitative researchers to precisely reflect the inherent qualities of phenomena within their particular real-life settings. This is referred to as the contextual situatedness of qualitative data, and it is one of the most significant characteristics of qualitative data. As a result, the gathering of prototype qualitative data requires active participation in real-world situations, which are the only places where events may be witnessed and recorded in their raw form. The collection of contextualized data through active

participation

and observation is regarded as an effective method in the field of qualitative research on language education. This method is used to answer a variety of research questions that are founded in the real-world activities and encounters of language students and teachers. As a result, the primary focus of this chapter is on the method of data collecting, which involves monitoring language teaching and learning activities, particularly within the context of classroom settings<sup>82</sup>.

Since it is widely acknowledged that women are a valuable resource for the country, their insights, original ideas, and concern for the social fabric's cohesion have a substantial positive impact on improvements in people's quality of life and society as a whole. However, gender inequality and discrimination against women have long afflicted Nigeria's political system, as they do in many other nations throughout the globe. The study's main objective was to describe how widespread gender discrimination is in Nigerian politics. The study found that the reality of Nigerian

politics and political arrangements have excluded much of female legitimacy, leading to women's political powerlessness and low participation in power and decision-making. This finding was based on In-Depth Interviews (IDI) of Key Members of Women Advocates Research and Documentation Centre (WARDC). Women have prospered, albeit modestly, in holding appointive roles in the country's leadership and political landscape despite the dark undertones of male chauvinism<sup>83</sup>.

The prejudice experienced by female politicians is a big global topic. In Nigeria, women are underrepresented in politics despite making up over half of the country's population. They are also not equally represented in positions of political leadership. Despite calls from a variety of advocates, civil society organizations, and international organizations to increase women's political

participation by giving them equal access to elective and appointment positions, there is still a lack of women in political leadership positions. So, this essay looked at the effects of continuing to discriminate against women in the political sphere. Nigerian women face a variety of difficulties, including discriminatory sociocultural practices, a lack of resources, underrepresentation, an unsafe political environment, party discrimination, an incorrect perception of women in politics, and a lack of support from their families, other women, and the media, to name a few. Therefore, it is advised that political parties, governments, and civil society organizations raise the level of women's awareness and sensitize them to the importance of participating in the leadership affairs of the nation at all levels as well as the true meaning of politics. More importantly, men should work to support Nigerian women's political aspirations<sup>83</sup>.

Women have been underrepresented in both elected and appointed positions in Nigeria. Many Nigerians are becoming more worried about this. Government and non-governmental organizations have, nevertheless, undertaken concerted attempts to raise the degree of female participation in politics in keeping with the Beijing Declaration from the Fourth World Conference on Women, which called for 30% affirmative action. The patriarchal practices that are ingrained in our society and were prevalent from the pre-colonial era till today contributed to the underrepresentation of women in political engagement. The challenges Nigerian women still face in actively participating in politics were examined in this paper based on secondary sources of information. These challenges included discriminatory socio-cultural and religious practices, a lack of funding, the underrepresentation of women in governance, an unhealthy political environment, political party discrimination, and a misperception of women in politics,

among others. In order to guarantee women's active engagement in politics in Nigeria, this report proposed that socioeconomic constraints that limit women's political potential be appropriately addressed. In particular, governments, non-governmental organizations (NGOs), development organizations (local and international), and women's organizations in Nigeria should make conscious efforts to free women from the shackles of culture, religion, the male-dominated party system, poverty, and illiteracy, among other things<sup>84</sup>.

Politics is the process by which people communicate ideas and take part in activities aimed at earning and using power as members of a group. In Nigeria, politics over the past eight years has highlighted the declining status of women. The purpose of the essay is to critically examine the institutional and social hurdles to successful women's representation and engagement in politics. For data gathering, the critical ethnography methodology included government statistics, historical sources, mass media, and participant observation. As a result of their numerical advantage and higher voting power, women in Nigeria hold around 20% of the country's elective political positions, which contributes to their invisibility<sup>84</sup>. The study looked at trends in women's political involvement in Southwest Nigeria from 1999 to 2015 and identified variables that undermined and hampered that participation. It also looked at the impact of women's level of participation on South Western Nigerian politics between 1999 and 2015, established a link between women's political engagement and effective constituency representation, and identified the necessary policy changes to ensure that women in the South West of Nigeria continue to play an active role in politics well after 2015. These were the objectives of the investigation into women's involvement in politics in South West Nigeria between 1999 and 2015. Participants were purposefully chosen from the six states in Southwest Nigeria for semi-structured interviews as part of the study's qualitative research design. To make the overall sample size of

48, a total of 8 volunteers from each state were chosen. Participants were chosen for inclusion based on their familiarity with the study's topic. Thematic content analysis was used to examine the data. Results indicated that women's entry into politics in Nigeria, and particularly in the Southwest, has been difficult, difficult, and constrained. Factors like religion, cultural beliefs, patriarchy, traditions and customs, as well as a lack of resources, education, and the nature of dirty politics, among others, have hampered and undermined women's political participation in Southwest Nigeria. The findings also indicated that the level of women's political participation has produced few or no positive results, and that their political engagement does not necessarily equate to adequate constituency representation because most female legislators ended up gratifying their own needs at the expense of the constituents they were elected to represent.

Results also indicated that policies such as the quota system, where a specific number of seats or elective positions are reserved for women, empowerment of women, improved education for women, protection from intra-party discrimination, elimination of excessive conditions for women's political participation, among others, would significantly increase the number of women who participate in politics in Southwest Nigeria. Findings suggest that the Southwest area of Nigeria and Nigeria as a whole will experience more rapid socioeconomic development if more women are included in and participate in politics<sup>84</sup>.

Poor representation of women in politics is a major global topic. In Nigeria, women's political participation does not correspond to the roughly 50% of the country's population that they represent, nor has it resulted in equal representation in positions of political leadership. Despite calls from advocacy groups, activists, civil society organizations, governments, and

international organizations, there is still a lack of active participation by women in politics and other facets of public life. This is due to the fact that they are underrepresented in both elective and appointed positions. Despite efforts to reverse this tendency, the number of women in political posts in Nigeria is also increasing slowly. Although Section 42(1) of the 1999 Constitution of the Federal Republic of Nigeria guarantees Nigerian women the right to actively participate in politics and governance, there is still widespread discrimination against women and a lack of representation of women in politics and governance when compared to their male counterparts<sup>84</sup>. The challenges that Nigerian women still face in actively participating in politics were examined in this paper based on secondary data. These challenges include discriminatory socio-cultural practices, a lack of funding, the underrepresentation of women in governance, a toxic political environment, political party discrimination, the incorrect perception of women in politics, and a lack of support from family, other women, and the media, among others. It recommended, among other things, that political parties, governments, and civil society organizations raise the level of women's awareness of politics and educate them about the importance of participating in the leadership of the nation at all levels. Men should be educated on the need of supporting women in politics and the necessity to have an accurate view of their place in the political system<sup>84</sup>. This study's primary objective is to examine the intensified comeback of the Ambazonian separatist movement in Cameroon within the framework of the pursuit of political development and to investigate the potential repercussions that this movement could have for Nigeria. The narrative labels the political unrest in Cameroon as the "error of 1961" and connects the unfavorable effect of activities taken in support of Ambazonian independence to the imbalanced combination

of Anglophone and Francophone regions in the country. This merger does not preserve the colonial past of the former, but rather it results in the latter assimilating the former's cultural practices. In order to investigate the Social Exclusion Theory, this article makes use of Anglophone analysis and pulls qualitative information from secondary sources. It proposes that operations supporting Ambazonian independence have substantial repercussions for Cameroon, which then extend to Nigeria due to the porous nature of the border security, resulting in unfavorable outcomes. It is recommended that a dialectical conversation be held, with the participation of political, religious, and legal leaders from both camps, with the intention of attaining long-term political development and stability through the revision of the constitution<sup>84</sup>.

In Nigeria's political system, patriarchal culture and gender inequality have made room for women's underrepresentation and lax engagement. This essay investigated the barriers that women in Benin's capital face while entering politics. The survey design was based on the cultural lag hypothesis, and results were gathered by combining three quantitative and qualitative techniques. In particular, 450 respondents were polled using an 18-item Likert scale questionnaire, and 10 in-depth interviews were done. While content analysis was used for qualitative data, descriptive statistics (frequency, percentages, and mean) were used for data gathered by questionnaire. The research found that most women were not involved in politics. The main barriers women cited to participating in politics were financial resources, sociocultural inhibitions, family obligations, childbearing, a lack of family support, and a lack of enabling possibilities. Few women who hold influential positions in politics have acknowledged that their involvement in politics had a positive impact on their communities. This essay argues that if some of the issues stated above can

beresolved, Nigerian women's prospects in politics are positive. In order to increase their contribution to a viable political development in Nigeria, particularly at the grassroots level, women should be given more political authority<sup>85</sup>.

Women's involvement in politics has historically been marginalized due to allegedly discouraging social, cultural, and religious factors. These elements allegedly influence how actively involved women are in politics. However, because there are currently few women involved in politics, numerous attempts to change this underrepresented group's situation have failed. This study evaluated women's political engagement in Nigeria with a focus on Enugu State during the current Fourth Republic in light of this difficulty. The study used the Ambivalent Sexism hypothesis put forward as its analytical framework. This hypothesis suggests that men and women have a certain bond that causes intense ambivalence. Additionally, it claims that both hostile and benign sexism work together to sustain patriarchal social institutions in which women are subordinate to men. The primary source of data for the study was a questionnaire, while the secondary sources were books, journals, and online resources. The linear regression method was used to examine the acquired data. The study found that women's active political engagement in Nigeria, particularly in Enugu State, is significantly hindered by the perception of women and their traditional roles in society ( $r = .258$ ;  $t = 4.589$ ;  $p < 0.01$ ). However, the study advocated for the complete abolition of all traditional, cultural, and institutional barriers prohibiting Nigerian women from actively participating in politics<sup>85</sup>.

The patriarchal society of Nigeria is marked by severe marginalization, inequality, and impunity. These characteristics have to do with gender inequality problems. This study addresses the subject of the full participation of women in Nigerian governance, a topic that has received little attention in the Nigerian political system, particularly in Adamawa State. This study offers several approaches that can

be used by the government, decision-makers, and women themselves to fully integrate women into the political system in Nigeria, and specifically in Adamawa State. It is inappropriate to concentrate on this significant area of political development in Nigeria. Additionally, the researcher provided a theoretical framework and analyzed several comparable works that are consistent with women and democratic administration. Any contemporary democratic state cannot develop politically or economically without the necessary and indispensable contribution of women. The degree to which women participate in Nigerian politics and the country's progress is examined in this essay. Secondary data were used in the study as information sources. In Nigeria, the limitations on women's political engagement are a barrier to the country's progress. This study clearly shows that significant impediments to women actively participating in politics are related to culture, the environment, education, and gender. Realizing active women's engagement in national political life for long-term national development is one of the goals of this endeavor. In order to encourage more women to embrace and pursue education, which is a catalyst for active female participation in politics, government at all levels should launch an education campaign. Additionally, coercive legislation against all forms of discrimination against women is advised to be made at all levels<sup>85</sup>.

The possibility for women to fully participate in Nigerian politics is examined in this essay along with the likelihood that the country would eventually achieve gender equality. It has been noted that women's active participation in governance in Nigeria has the potential to lessen marginalization and offensive laws that limit women's roles to the home or other rooms. The study is predicated on the idea that, given the chance to participate more actively in governance in a multicultural society like Nigeria, women naturally possess a passion for leadership and would undoubtedly make a

substantial contribution to the socio-economic and political growth of the nation. The article operationalizes women's political engagement to include free party nomination for women for elective positions, complete execution of women's 35% affirmative action, including appointments as chairs of election tribunals and heads of electoral commissions. The report emphasized that the few women who had the chance to serve in a variety of roles for the sake

of achieving development in a democratic setting in Nigeria had performed above and above expectations. Conceptualization was done of the women's political struggle in Nigeria up to this point. In order to achieve gender equality in Nigeria and meet one of the Sustainable Development Goals (SDGs), it is therefore advised that a constitutional amendment be used to set aside a specific percentage of elective positions at the Federal, State, and Local Governments for female candidates<sup>85</sup>.

This study looks at how well women do in elections and in the political sphere. In 1999, Nigeria adopted democracy after 16 years of continuous military rule. One of the characteristics of democracy is universal suffrage, which guarantees that all individuals who are qualified take part in the process of choosing a leader. Using information gathered from in-depth interviews and key informant interviews in a few chosen states in Nigeria, this research utilizes a qualitative methodology. The findings suggest that more women are attending political party events and campaigns and registering to vote, but their participation is not reflected in the proportion of women who are elected to office or appointed to political positions. The study finds that, despite the large number of women who are registered to vote in general elections, they lack the identification consciousness to support female candidates in order to close the gender representation gap in government. Religious, cultural, economic, and psychological issues may have contributed to the preference for male candidates over female candidates. The research comes to

the conclusion that women's lack of identity consciousness has made their marginalized status in government worse. Therefore, emotional issues and a lack of identity consciousness, in addition to cultural, socioeconomic, and religious variables, account for the low participation of women in democratic administration in Nigeria<sup>85</sup>.

Women's political exclusion has traditionally been viewed as the result of structural, functional, and individual reasons that differ in various sociocultural situations. Prior to the colonial era, women had co-ruled as heads of state and administration in historical African contexts with men. But in Nigeria, this is no longer the case. Studies already conducted revealed that, despite the country's growing female population, women's political engagement is worse in Nigeria. In order to better understand the factors influencing women's political engagement at the local level in the Ekiti South Senatorial District, a study was conducted. The study is qualitative and uses a research design based on story analysis. Twelve focus group discussions and six in-depth interviews with individuals who had been specifically chosen were held to examine the opinions and experiences of women in politics. The findings indicated that the gender gap in political engagement in the Ekiti South Senatorial District is still very large. Women participate in politics largely to address their practical gender needs rather than to question their inferior status in society, so their level of political activity is consistent with the gender roles that society has established. In order to change their political status quo, women's freedom and access to resources are restricted by the sex-gender system and the public-private division. The study comes to the conclusion that patriarchy, influenced by the sex-gender system, results in women being relegated to political roles that correspond with their socio-

cultural expectations. Therefore, there is a need to step up efforts to improve women's political engagement through the implementation of gender-affirmative quotas, increased community awareness of gender equality policies, and improved return on women's political commitment<sup>86</sup>.

Observational research is a qualitative research methodology that has been employed for more than a century across a range of disciplines within the Social Sciences, with a particular emphasis on anthropological (ethnographic) investigations. The technique employed in this study entails

a methodical process of observing and documenting the actions and conduct of individuals with the intention of providing a comprehensive description of said behaviour. Observational research is commonly employed in investigations pertaining to individuals, procedures, and societies, as it has demonstrated its suitability in examining social phenomena within their authentic settings. This approach facilitates a comprehensive comprehension of nuanced communications and other

occurrences, surpassing alternative research methodologies. Nevertheless, in contemporary times, the utilization of observational research techniques seems to have diminished, despite its inherent comparative advantages. This paper is thus focused on providing a description of observational research and its methodology. The objective of the paper was to conduct a thorough examination of the observational research technique. This paper posited that a comprehensive examination of the observational research technique would be more effectively conducted by delineating

the different methods of observation and subsequently appraising each of these methods individually. Based on the information, three overarching categories of observation were identified and subjected to critical evaluation. The classifications encompass participant and non-participant observations,

structured and unstructured observations, as well as controlled and uncontrolled observations. The paper posited that, overall, observational research possesses the advantage of investigating social life within its natural environment, thereby yielding a more profound and comprehensive comprehension of social phenomena. However, this method also presents methodological and ethical challenges. Observation as a research method presents methodological challenges, namely the potential for observer bias. This bias arises from the subjective interpretation and perception of the observer, which may influence the accuracy and objectivity of the observations made. Additionally, ethical concerns arise in relation to the violation of the norm of informed consent. This norm entails obtaining the explicit consent of the individuals being studied, ensuring they are fully informed about the purpose, procedures, and potential risks involved in the research<sup>86</sup>.

The phenomenon of social exclusion involves a dynamic interplay among multiple individuals, although existing scholarly investigations have predominantly concentrated on the adverse consequences experienced by those who are targeted. What strategies can individuals on the opposing side (i.e., sources) employ to mitigate the adverse consequences and safeguard their personal standing? In order to stimulate scholarly investigation into the dynamic aspects of exclusion, we put forth the Responsive Theory of Social Exclusion. The theoretical framework posited that the preservation of targets' and sources' needs is enhanced when sources employ unambiguous and explicit verbal communication. In this proposal, we suggest that sources should be provided with three distinct options for responding to a given situation: explicit rejection, ostracism, and ambiguous rejection. Explicit rejection refers to a clear and direct statement of refusal. Ostracism entails the act of ignoring or excluding. Lastly, ambiguous rejection involves a response that lacks clarity and leaves room for interpretation. By integrating insights from various discip

linessuchaspsychology,sociology,communications,andbusinessresearch,ourpropositionpositsthatt heutilisationofexplicitrejectionbysourcescanleadto reducedemotionaldistressfortargets, improved protection of their needs, and a decrease in backlash and emotional strainexperiencedbysources,ascomparedtotheuseofambiguousrejectionorostracism.Inconclusion, we present our proposition regarding the potential effects of the language used in rejections on both parties involved<sup>86</sup>.

The activities of political parties and the influence those parties have on the level of voterinvolvement in political activities in Rivers State are the subjects of this study. In order toaccomplish this objective, the research gathered secondary data and used content analysis as theprimary method of data analysis. This study focuses on the political actions of numerous politicalparties in the state prior to, during, and after the general elections in 2015 in order to investigatethepoliticalissues thatevolvedas aresultofthosepoliticalactivities.Inthecourseofconductin gthisresearch,thesocialexclusiontheoryservedastheanalyticaltheoreticalframework.Throughoutthe timeperiodunderreview,allofthepoliticalpartiesoperatinginsidethestate participated in a wide range of political activities. These activities had a significant impact, bothon the degree to which voters participated in electoral politics and on the state's political systemas a whole. It is therefore possible to classify all political parties operating inside the state asopposition political parties on the basis of their standing within either the federal or state politicalsystem throughout the period of time under consideration. The study offered helpful suggestionsregarding the ways in which political parties' activities might be redirected in order to encouragethe participationofvotersinsidethe politicalsystemof thestate.The keyconceptsthataregoing to be examined here are "political opposition," "political party," "political participation," and "political activities<sup>86</sup>.

In the realm of present-day politics, feminist activism predominantly takes place via social media platforms and is commonly referred to as "hashtag feminism." The feminist hashtags #MeToo, #HeForShe, and #HowIWillChange have become widely recognised emblems of the contemporary feminist movement. This study employed an interpretive phenomenological approach to investigate the perceptions of Millennial and Generation Z men regarding the hashtag feminist movement. Additionally, the study sought to examine the manner in which these individuals encountered and interpreted their own masculinity within the context of present-day gender dynamics. A qualitative research study was undertaken, wherein a series of interviews were conducted with a sample size of 12 individuals belonging to the Millennial and Generation Z cohorts. The focus of these interviews was to explore the participants' perspectives on masculinity and the phenomenon of hashtag feminism within the context of their engagement with social media platforms. The research findings indicate that men's perspectives on hashtag feminism exhibited both contradictions and overlaps, displaying a tendency to shift in accordance with varying contextual factors. Furthermore, the results revealed that the participants did not perceive hashtag feminism as an accurate representation of the broader feminist movement. The findings indicated that certain characteristics of online activist discourse served as a deterrent for men to participate in hashtag feminism<sup>86</sup>.

In recent times, there has been a significant focus on the concept of sustainable employability (SE) in numerous developed nations. This concept pertains to the ability and facilitation of individuals to attain meaningful work objectives. The relationship between self-esteem (SE) and important work outcomes has been investigated in previous cross-sectional studies, albeit with certain limitations. These studies have primarily focused on the concept of SE as a capability set and have found a positive association with work outcomes. However, the underlying reasons and mechanisms through

hwhichSEinfluencethesecrucialworkoutcomeshavenotyeteenthoroughly explored. Hence, the primary objective of this three-wave study was to examine therelationshipbetweenself-efficacy(SE)andworkoutcomesoveranextendedperiod.Additionally,thisstudyaimedtoelucidatethepsychologicalmechanismbywhichSEinfluencetaskperformance and job satisfaction, proposing work engagement as a mediator. MethodsIn order toexamine the mediation process, we sought the assistance of CentERdata to gather data from astatistically representative sample of 287 employed individuals in the Netherlands. A three-wavedesignwasemployed,withanapproximatetimelagof twomonths.Thefindingsderivedfromtheimplementation of bootstrap-based path modelling revealed that self-efficacy (SE) exhibited astatistically significantinfluence ontaskperformance,while nosignificantrelationshipwasobserved between SE and job satisfaction over a period of time. The relationships between self-efficacy (SE) and both task performance and job satisfaction were found to be mediated by workengagement. The results of this study indicate that organisations have the potential to enhanceemployees'taskperformanceandjobsatisfactionbycreatingaworkenvironmentthatpromotes self-efficacy. This involves enabling employees to possess the necessary skills and resources tosuccessfullyaccomplish significant work objectives<sup>87</sup>.

This study investigates the link between gender role attitudes and the labor participation of both malesandfemalesbymakinguseofmicrodata gatheredfromtheHousehold, IncomeandLabourDynamicsinAustralia(HILDA)Survey.Bothsetsofparticipantsareaskedabouttheir membershipinthelaborforce.ThecurrentinvestigationmakesuseoftheWellingtondecomposition method in order to investigate the extent to which shifts in gender role attitudesamong adult men and women contribute to the observed fluctuations in the gender gap in laborforce participation (LFP) between the years 2001-2005 and 2015-2019. The data suggests adecrease in the gender

gap in terms of labor force participation of 6.5 percentage points over the two time periods studied. The oscillations in the educational accomplishments of both sexes are responsible for around fifty percent of the observed convergence in the data. It is estimated that shifts in gender role attitudes are responsible for around 33% of the observed phenomenon. More specifically, the rapid adoption of egalitarian gender role views by women is driving this trend<sup>87</sup>.

The issue of gender equality in Indonesia continues to be regarded as a sensitive and controversial topic.

The prevailing perception that women possess inherent weakness, lack the capacity to assume leadership roles, and should refrain from involvement in political affairs remains pervasive within the

broader societal sphere. Nevertheless, the stigma can be dismantled through the implementation of Law number 22 of 2007, which pertains to Election Organisers.

This legislation specifically addresses the composition of election processes, emphasizing the inclusion of women with a minimum representation of 30%. In essence, the legal framework has legitimised the presence of women in the realm of politics. The current situation indicates that the quota, particularly in Banten Province, has not been fully met. The objective of this composition is to

enhance the level of women's participation in the realm of political representation during the upcoming legislative elections in 2024. The research methodology employed in this study is a qualitative deductive approach combined with a qualitative descriptive method. The objective is to provide a comprehensive description of the phenomenon of strategies aimed at enhancing women's representation in politics. This analysis is based on empirical evidence from the

2019 legislative elections in Banten Province, which indicate a failure to meet the mandated 30% quota for women's participation. The study yielded a number of strategies, including the invitation of women to engage in the political sphere, the implementation of outreach and political

education programmes targeted at women, the enhancement of resources available to women, and the utilisation of mass media to bolster and reinforce women's political participation in the public domain. The topic under consideration pertains to the representation of women in the realm of politics, specifically in the context of legislative elections<sup>87</sup>. The objective of the study was to ascertain effective coping mechanisms for addressing challenging circumstances in the elderly population, particularly in relation to the potential risk of social exclusion. The research problem addressed in the article does not center on social exclusion as the risk of poverty, but rather conceptualizes it as a disruption of social connections, a breakdown of social cohesion, and a deficiency in solidarity. In this particular context, the objective of the research was to ascertain the factors that are linked to specific coping strategies for potential challenging situations that may arise during old age. A survey was conducted on a sample of 1006 adult individuals from Poland with the aim of identifying coping strategies employed during the elderly stage of life. The study was conducted through the utilization of a diagnostic survey, specifically employing face-to-face interviews as the primary data collection method. These interviews were facilitated using a computer-assisted interview questionnaire technique. Computer Assisted Personal Interview (CAPI) surveys were administered in respondents' residences, employing a nationwide random sample of households. The sampling frame utilized in this study was based on the PESEL system. In order to ascertain coping strategies utilized in older adults, a novel six-point scale was utilized. The objective of employing this research methodology was to investigate the inclinations of adult individuals from Poland in relation to the various modes of organizing their lives during their elderly years. Additionally, the study ought to uncover the factors that influence the decisions made in this regard. The study was carried out using a diagnostic survey, specifically through face-to-face interviews, employing the computer-

assisted interview questionnaire technique. The study employed Computer Assisted Personal Interview (CAPI) methodology to conduct interviews with a representative sample of 1006 individuals aged 15 and above. These interviews were conducted in the participants' homes, and the sample was selected randomly from households across the entire nation. The PESEL was utilized as the sampling frame. In order to identify coping strategies in old age, a scale consisting of six items was developed and introduced. The study utilized the non-parametric tau-Kendall correlation coefficient to conduct statistical analysis, aiming to evaluate the association between socio-

demographic factors, including age and gender, and strategies for organizing life in old age. The findings: Regardless of the age and gender of the participants, it was observed that adult individuals in Poland exhibited a clear preference for old-age life organization strategies that involved staying in their own residence and relying on a natural support system comprised of close familial relationships, including children, spouses, and extended family members. The results of the statistical analysis indicated a non-significant association between coping strategies and both age and gender. The selection of life organization strategies in old age is not influenced by age and gender<sup>87</sup>.

The discourses surrounding the involvement of women in politics exhibit variation across different regions of the world and has progressively emerged as a significant determinant of a nation's democratic standing. Nevertheless, empirical evidence indicates that the level of women's involvement in politics remains significantly low in numerous states, including Nigeria, thereby resulting in a limited democratic process. A significant discourse has emerged within academic and political spheres regarding the societal position of women. This discourse has garnered substantial attention worldwide, leading to intense debates and controversies surrounding the

sue of gender inequality. Over the course of time, a multitude of debates have arisen in Nigeria regarding the role of women in the political sphere. The status of women within Nigeria's political structure is perceived to be subordinate to that of men. The underrepresentation of women in political positions in Nigeria can be attributed to various factors, including patriarchal norms, gender politics, cultural influences, socioeconomic disparities, and limited access to education. This study examines the phenomenon of gender discrimination against women in Nigeria, with a particular focus on the political sphere, through the lens of feminist theory. The study's discussion arises from the assertion that the portrayal of women in politics is in a lamentable condition, thus necessitating governmental intervention to implement diverse and effective measures aimed at fostering increased female involvement in politics. This study aims to examine the status of women representation in Nigerian politics, with a particular focus on the factors of colonialism and culture that may impede female political participation. The study employs a qualitative methodology, utilising data collected from various sources such as journals, books, government sources, conference papers, and online sources for the purpose of analysis and discussion<sup>88</sup>.

Notwithstanding the persistent upward trend of women occupying high-ranking positions, their presence in the realm of politics remains disproportionately low. The existing research that predominantly examines the lack of women's representation in politics fails to adequately consider the significance of gender as a framework that shapes and gives meaning to societal behaviors. The objective of this study is to examine the mechanisms that govern the current gender hierarchy in politics by employing discourse analysis and incorporating insights from the critical feminist standpoint. This study is grounded in a collection of 30 biographical interviews conducted

with Italian politicians. The primary objective of this research is to examine the narratives surrounding their political experiences and the significance they ascribe to them. The findings of this study highlight the inclination to attribute either exoneration or culpability to women regarding gender inequality in politics, employing various interpretive frameworks: "Women's lack of interest

in politics," "Politics as a masculine domain," and "Imbalance between politics and family responsibilities." The analysis facilitated the exploration of how discursive practices contribute to the establishment and perpetuation of the dominant gender hierarchy within the realm of politics. The present study's results underscore the significance of investigating matters pertaining to the disparity between genders in the political realm, while emphasizing the imperative of enacting measures aimed at fostering parity in political representation<sup>88</sup>.

This study investigated the level of political participation among Nigerian women and identified the barriers that impede their full engagement in the political sphere. The topic of women's participation in politics has been a prominent subject of discussion within the political discourse in Nigeria since the country achieved independence. Nigerian women have been lacking the necessary level of representation necessary to effectively exert influence within the political sphere, thus impeding their participation in the decision-making process. The present study employed the theoretical framework of Liberal feminism in order to elucidate the incremental advancements achieved by advocating for universal equal rights, as well as the enactment

of legislation and policies that foster equality. The research employed the method of content analysis and relied on secondary sources of data. The study has uncovered various obstacles that have been identified as factors that restrict the involvement of women in the realm of politics.

Various barriers, including cultural, economic, and legal factors, have had an impact on women's involvement in politics. The research findings indicate that despite women's high level of competence in both public and private domains, they often encounter a recurring cycle of obstacles that impede their progress in assuming leadership roles. The efficacy of these individuals in their leadership roles has been notably impeded by a variety of internal and external barriers. These barriers encompass societal and cultural biases, patriarchal structures, the difficulty of balancing familial and occupational responsibilities, and a dearth of networking opportunities. The study suggests that in order to acquire essential leadership attributes, women should opt for leadership roles in both public and private sectors, while also pursuing the highest levels of education. In order to mitigate the issue of illiteracy and equip female students with the necessary skills for future leadership roles, it is imperative to encourage parents, particularly those residing in rural areas, to actively enrol their daughters in educational institutions. The study further suggests that a thorough evaluation of the existing women empowerment policy should be conducted in order to accurately align it with the prevailing circumstances. Additionally, the government is advised to establish a network comprising women leaders, which would facilitate the exchange of experiences pertaining to leadership achievements and obstacles. This platform would serve to inspire aspiring women leaders<sup>88</sup>.

This research seeks to analyse the extent of women's political participation and representation in Nigeria. This study utilised data from the 2019 Nigerian general election, focusing on the representation of male and female candidates across different seats and positions. The study employed a combination of quantitative and qualitative research methodologies. The research was conducted in Nigeria during the period of February to March 2019, coinciding with the

General Elections (GE). The primary focus of the study was on secondary data obtained from the Nigeria Independent National Electoral Commission (INEC), including the Final List of Senatorial Candidates, Final List of Governorship Candidates, Final List of Presidential Candidates, Final List of State House of Assembly Candidates, and Final List of Candidates for House of Representatives. These data sources were supplemented with interviews conducted as part of the research process. The results suggest that despite the political engagement of women in Nigeria, they are not afforded the same status as their male counterparts, which can be attributed to the prevailing patriarchal tendencies. Undoubtedly, Nigerian society continues to adhere to the irrational stereotype that women possess limited knowledge and understanding. A frequently utilised expression, even within the context of a typical familial discourse. Moreover, female participants face challenges in terms of financial resources and social support when pursuing political positions. In summary, the underrepresentation of women in top-level political positions is an enduring concern in the context of gender stratification in Africa, with Nigeria being particularly significant in this regard. Despite the notable progress in women's educational attainment and economic involvement, this study reveals that women in Nigeria have made limited or negligible advancements in terms of political representation within the nation's political domain<sup>88</sup>.

The emergence of globalisation has led to an amplified demand for gender representation and involvement on a global scale. However, the political landscape in Nigeria, from the post-colonial era to the present, has been predominantly characterised by male dominance. Despite the implementation of initiatives such as the Beijing World Conference on Women's Participation in Politics and the National Gender Policy (NGP), which advocates for a 35% affirmative action quota for women in both elected and appointed positions, Nigeria still faces a significant deficit in terms of political representation for women. This study aims to investigate the relationship between

political participation and the representation of women in the legislative and executive branches of government from 2011 to 2019. The research employed the documentary method of data collection, primarily relying on textual sources such as texts, journals, and gender reports. These reports included the UN-Women annual gender report from 2011, the UNESCO priority gender equality action plans spanning from 2014 to 2021, INEC publications on gender and political participation in Nigeria from 2011 to 2019, as well as the National Gender policy framework. The present study employs content analysis as the chosen method of data analysis, wherein a comprehensive examination of the tables utilised in this research is provided. The theory of sexism was employed as a rationale for the extent of women's involvement in Nigerian politics. Based on the research findings, there is evidence suggesting that women's involvement in politics holds promise, although there remains a lack of sufficient representation in this domain. Therefore, by utilising the power of appointments, women can achieve substantial representation in public offices. Consequently, this study proposes that pertinent stakeholders should advocate for and evaluate the current legislation concerning gender participation in order to accommodate the increasing interest of women in both elected and appointed political positions<sup>88</sup>.

The present study undertakes an analysis of the core issue pertaining to the political representation of women in Nigeria. This study examines the multiple factors contributing to the underrepresentation of women in Nigeria, and employs political theories related to descriptive and substantive representation to support arguments in the discourse on gender equality. The arguments suggest that there is a growing presence of women in various socio-economic and cultural aspects of the country. However, this progress has not resulted in a commensurate level of female representation in the political sphere. The study primarily relied on secondary data derived from existing literature. The primary data utilised in this study consisted of survey questionnaires and Key Informant Interviews conducted with both

current and former legislators, as well as civil society activists. The research reveals a notable increase in women's political participation globally over the past twenty years. The average proportion of women in national parliament has doubled during this period, and all regions have made significant advancements towards achieving a 30% representation of women in decision-making roles. The study additionally reveals that the pace of growth in women's political representation has been rapid in Africa, with four Sub-Saharan African countries (Rwanda, Seychelles, Senegal, and South Africa) ranking among the top 10 globally in terms of women's representation in the single or lower house of parliament. However, Nigeria has made limited advancements in this area. The contention posits that the sluggish advancement of women's political representation in Nigeria is intricately linked to the manner in which the problem of women's underrepresentation is diagnosed, perceived, and comprehended, as well as the approaches employed to tackle it. This study examines the strategies employed to tackle the issue of women's political underrepresentation in Nigeria, with a particular emphasis on the expansion of women's political resources. The study finds that these efforts have yielded limited outcomes and gradual progress. The study delves deeper into the presentation of efforts made by diverse stakeholders, as well as interventions by civil society, aimed at enhancing the political representation of women. This study examines the implementation of quotas in different countries and evaluates their effectiveness. The argument posits that there is an increasing agreement among scholars that Nigeria's federal system, along with its local and regional contexts, offers a conducive environment for female politicians to acquire comprehensive experience in various facets of political engagement. This includes participating in electoral campaigns, engaging with social and economic actors, and making decisions that impact community

life. In order to expedite the advancement towards achieving gender parity in political representation, this study suggests that stakeholders should perceive the underrepresentation of women in politics as a matter of gender discrimination, rather than attributing it solely to women's limited resources. By doing so, the responsibility for addressing the issue of women's political underrepresentation is placed primarily on political institutions<sup>88</sup>.

## 2.4 Conceptual Framework

Stating the topic of this research study; A study of NEPAD: Its impact and prospect on Right to Development. The topic reveals the existence of both the dependent and the independent variables as;

ECOWAS and Securitization in West Africa: Towards a Constructivist-Functionalist Approach.

The topic reveals the existence of both the dependent and the independent variables as;

**Independent Variable:** Study of NEPAD

**Dependent Variable:** impact and prospect on right to development

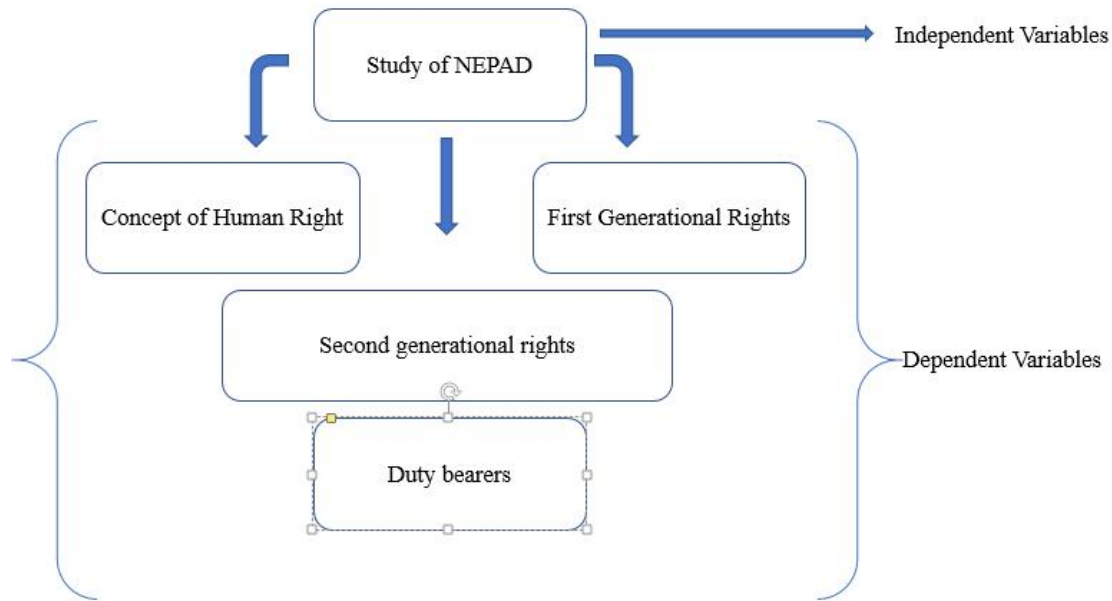
The variables found in the topic are the following:

- a. Human right
- b. Right to development
- c. First generational right
- d. Second generational right
- e. Duty bearers

The interrelations between these variables suggest that all aforementioned indices are directly linked to a functional study of NEPAD. This position is exemplified in the thesis theoretical

framework which adopted the cosmopolitan theoretical approach and the capability approach to Right to Development effort by NEPAD.

### Organogram Depicting the Independent and Dependent Variables



Source: Researcher

### 2.5 Summary of Gap in Literature Reviewed

This chapter encompasses the literature review of the study. The chapter is divided into three different sections. The first section which is the conceptual review analyzed concepts like rights, development, and sustainable development, Right to Development and NEPAD. The study similarly adopted the cosmopolitan theoretical approach as well as capability approach to analyse NEPAD's Right to Development. The empirical review focused on the scholarly investigations pertaining to the research study. Here, it was established that several researches has been executed in respect to human right as well as right to development in regional and global politics.

The researcher then emphasized that little or no research has been done or investigated in terms of right to development using the NEPAD as an analytical framework which the research study intend to fill.

#### Endnotes

1. American Declaration of Independence, 1776, Available online: <https://www.archives.gov/founding-docs/declaration-transcript>
2. A. Lincoln, *Abraham Lincoln Quotes: Abraham Lincoln, Quotes, Quotations, Famous Quotes*, CreateSpace Independent Publishing Platform, 2016
3. J.Mbaku, *Protecting minority rights in African countries*, Edward Elgar Publishing, 2018
4. C.Mbara, N. Gopal, S. Ehiane,& O. Hosea, *Re-evaluating the African Union's Ezulwini Consensus in the Reform of the United Nations' Security Council*, **Journal of African Union Studies**, 10(1), 2021, 53–70
5. K. Skubikowski,C. Wright,&R. Graf, *Social Justice Education: Inviting Faculty to Transform their Institutions*, Taylor & Francis, 2023
6. A. Herberg-Rothe, *There is no Political Democracy without Relational Equality in Society*,**African Journal of Democracy and Election Research**, 1(1), 2021, 9–29.

7. American Supreme Court on Natural Rights, Available online: <http://www.nlncrac.org/american/u.s.-supreme-court>
8. Universal Declaration of Rights, Available online: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
9. A. Enyew, *The Relationship between International Criminal Court and Africa: From Cooperation to Confrontation*, **3 Bahir Dar University Journal of Law**, 2012
10. N. Amalu N & M. Adetu, *The role of the National Human Rights Commission in Post Conflict Situation in Nigeria*, **8 International Journal of Arts and Humanities**, 2019
11. M. Amos, *The Value of the European Court of Human Rights to the United Kingdom*, **European Journal of Human Rights**, 28 (3), 2017
12. K. Anifalaje, *Implementation of the Right to Social Security in Nigeria*, **African Journal of Human Rights**, 17 (2), 2017
13. B. Dinokopila & I. Rhoda, *The Kenya National Commission on Human Rights under the 2010 Constitutional Dispensation*, **African Journal of International and Comparative Law**, 26 (2), 2018
14. N. Duxbury, *Custom as Law English Law*, **Cambridge Law Journal**, 76 (2), 2017, 337-359.
15. P. Engstorm & C. Hillebrecht, *Institutional Change and the InterAmerican Human Rights System*, **International Human Rights Journal**, 22 (9), 2018, 1111-1122
16. D. Etone, *African States: Themes Emerging from the Human Rights Council's Universal Periodic Review*, **Journal of African Law**, 62 (2), 2018
17. V. Fikfak, *Changing State Behaviour: Damages before the European Court of Human Rights*, **European Journal of International Law**, 29 (4), 2018
18. C. Fombad, *Designing Institutions and Mechanisms for the Implementation and Enforcement of the Constitution: Changing Perspective in Africa*, **African Journal of International and Comparative Law**, 25 (1), 2017
19. M. Kanetake, *UN Human Rights Treaty Monitoring Bodies before Domestic Courts*, **International and Comparative Law Quarterly**, 2018, 201-222
20. D. LeClercq, *The Disparate Treatment of Rights in U.S. Trade*, **90 Fordham Law Review**, 90, 1, 2021
21. D. Murray, *Non-State Armed Groups, Detention Authority in Non-International Armed Conflict, and the Coherence of International Law: Searching for a way forward*, **Leiden Journal of International Law**, 2017, 435-438
22. M. Nyarko & A. Jegede, *Human Rights Development in the African Union during 2016*, **African Human Rights Law Journal**, 17 (1), 2017, 294-319
23. C. O'Conneide, *Rights Under Pressure*, **European Human Rights Law Review**, 1, 2017, 43-48

24. O. Felix & A. Akujobi, *Enforcement of Fundamental Rights in National Constitutions: Resolving the conflict of Jurisdiction between the Federal High Court and State High Court in Nigeria*, **Beijing Law Review**, 9, 2018, 53-58
25. C. Okoloise, *Circumventing Obstacles to the Implementation of Recommendations by the African Commission on Human and Peoples' Rights*, **African Human Rights Law Journal**, 18, 2018
26. A. Possi, *It is Better that Ten Guilty Persons Escape than that one Innocent Suffer': The African Court on Human and Peoples' Rights and Fair Trial Rights in Tanzania*, **African Human Rights Yearbook**, 2017, 311-332
27. M. Ssenyonjo, *Responding to Human Rights Violations in Africa: Assessing the Role of the African Commission and Court on Human and Peoples' Rights (1987-2018)*, **International Human Rights Law Review**, 7, 2018, 1-10
28. W. Mutunga, *Human Rights States and Societies: A Reflection from Kenya*, **Human Rights in Africa: Contemporary Debates and Struggles**, 2019, 19-57
29. J. Sarkin, *Reforming the Role of the African Commission on Human and Peoples' Rights in Advancing Democratic Principles and Human Rights in African Countries: An Examination Using the Lens of Swaziland/eSwatini*, **Policy**, 421, 2019, 445
30. M. Broberg, & H. Sano, *Strengths and Weaknesses in a Human Rights-Based Approach to International Development—An Analysis of a Rights-Based Approach to Development Assistance Based on Practical Experiences*, **The International Journal of Human Rights**, 22(5), 2018, 664-680
31. S. Koob, S. Jørgensen, & H. Sano, *An Econometric Analysis of Freedom and Participation Rights*, **Matters of Concern, the Danish Institute for Human Rights**, 1, 2017
32. D. Rodrik, & S. Stantcheva, *A Policy Matrix for Inclusive Prosperity*, **National Bureau of Economic Research**, (No. w28736), 2021
33. K. Buhmann, B. Fasterling, & A. Voiculescu, *Business & Human Rights Research Methods*, **Nordic Journal of Human Rights**, 36(4), 2018, 323-332
34. C. Riedy, *Discourse Coalitions for Sustainability Transformations: Common ground and Conflict Beyond Neoliberalism*, **Current Opinion in Environmental Sustainability**, 45, 2020
35. E. Ali, V. Anufriev, & B. Amfo, *Green Economy Implementation in Ghana as a Road Map for a Sustainable Development Drive: A Review*, **Scientific African**, 12, e00756, 2021
36. M. Lesch, & N. Reiners, *Informal Human Rights Law-Making: How Treaty Bodies Use 'General Comments' to Develop International Law*, **Global Constitutionalism**, 2023, 1-24
37. E. Catalán, *The Human Right to Health: Solidarity in the Era of Healthcare Commercialization*, Edward Elgar Publishing, 2021
38. R. Sandra, H. Adolf, A. Karsona, & R. Siswandi, *Compatibility of the World Bank's Ease of doing business index with UNGPs on Business and Human Rights*, **Journal of Legal, Ethical and Regulatory Issues**, 24(5), 2021, 2-13

39. A. Beling, J. Vanhulst, F. Demaria, V. Rabi, A. Carballo, & J. Pelenc, *Discursive Synergies for a ›Great Transformation‹ Towards Sustainability: Pragmatic Contributions to a Necessary Dialogue Between Human Development, Degrowth, and Buen Vivir, Ecological Economics*, 144, 2018, 304-313
40. UNDRTD, Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-development>
41. H. Richardson, The Limits of Human Rights Limits, **American Journal of International Law**, 115(1), 2021, 154-170
42. E. Hafner-Burton, & J. Ron, *Seeing Double – Human Rights Impact through Qualitative and Quantitative Eyes*, **World Politics**, 61 (2), 2009, 360-401
43. A. Corkery, G. Isaacs, & C. Osborne, *Pushing Boundaries: Building a Community of Practice at the Intersection of Human Rights and Economics*, **Nordic Journal of Human Rights**, 40(1), 2022, 44-63
44. T. Osborne, S. Brock, R. Chazdon, S. Chomba, E. Garen, V. Gutierrez, & J. Sundberg, *The Political Ecology Playbook for Ecosystem Restoration: Principles for Effective, Equitable, and Transformative Landscapes*, **Global Environmental Change**, 70, 102320, 2021
45. X. Diao, M. McMillan, & D. Rodrik, *The Recent Growth Boom in Developing Economies: A Structural-Change Perspective*, Springer International Publishing, 2019, 281-334
46. Right to Development Article 22, Available online: <https://www.ohchr.org/en/universal-declaration-of-human-rights>
47. Vienna Declaration on Human Right, Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action>
48. R. Dauda, Poverty and Economic Growth in Nigeria: Issues and Policies, **Journal of Poverty**, 21(1), 2017, 61-79
49. R. Dauda, *The Paradox of Persistent Poverty Amidst High Growth: The Case of Nigeria*. In Kanbur, R., Sandbrook, R & Shaffer, P (forthcoming), *Immiserising Growth: When Growth Fails the Poor*, Oxford University Press: Oxford, 2019
50. United Nations Charter, Available online: <https://www.un.org/en/about-us/un-charter/full-text>
51. Z. Wattimena, *What are the Fundamental Pillars of Contemporary Globalization*, **ArySuta Centre Series on Strategic Management**, 42, 2018, 1-18
52. C. Euka, *Dependency Theory and Global Economic Imbalance: A critique*, **UJAH: Unizik Journal of Arts and Humanities**, 19(1), 2018, pp 130-148
53. M. Dickson, & G. Ezirim, *The Political Economy Of Recession In Nigeria's Fourth Republic*, **African Journal of Political Science and International Relations**, 11(7), 2017, 193-200
54. M. Dickson, Globalisation and Development Challenges in Africa: Prognosis for the 21st Century, **Journal of Sustainable Development in Africa**, 23(3), 2021

55. A. Kyrydon, & S. Troyan, *International Relations as a System and a Discipline: From the Westphalian to the Post-Westphalian World Order*, **Studia i Analizy Nauk o Polityce**, (1), 2021, 107-122
56. M. Dickson, *Globalisation and COVID-2019 Pandemics: The Nexus and Impact on Development in Africa*, **African Journal of Political Science and International Relations**, 15(1), 2021, 11-18
57. C. Deinne & D. Ajayi, *Dynamics of Inequality, Poverty and Sustainable Development of Delta State, Nigeria*. **GeoJournal**, 86.1, 2019, 431-443
58. N. Ifeakachukwu, *Globalisation, economic growth and income inequality in Nigeria*, **Indian Journal of Human Development**, 14(2), 2020, 202–212
59. E. Mayah, C. Mariotti, & C. Odo, *Inequality in Nigeria: exploring the drivers*, **Oxfam International**, 2017
60. A. Austin, *Well-Being and Social Justice: In Defence of the Capabilities Approach*, In *The Politics of wellbeing: Theory, Policy and Practice*, Cham: Springer International Publishing, 2018, 49-70
61. M. Seery, J. Okanda, & M. Lawson, *A Tale of two Continents: Fighting Inequality in Africa*, **Oxfam International**, 2019, 1-38
62. V. FitzGerald, & E. Siu, *The Effects of International Tax Competition on National Income Distribution*. In *International Policy Rules and Inequality: Implications for Global Economic Governance*, Columbia University Press, 2019, 243-272
63. R. Dauda, *Inequality: the Fundamental Bane of Poverty Alleviation in Nigeria*, In Baikady, R et al (eds.), *The Routledge International Handbook of Poverty in the Global South*, Routledge: New York, London and New Delhi, 2021
64. J. Anyanwu, & Salami A, *The Impact of COVID-19 on African economies: An introduction*, **African Development Review**, 33(Suppl 1), 2021
65. J. Sachs, G. Schmidt-Traub, *The Sustainable Development Goals and COVID-19, Sustainable Development Report 2020*, Cambridge: Cambridge University Press, 2020
66. O. Mutiiria, Q. Ju, *Sustainable development in Sub-Saharan Africa: The Impact of Infrastructure on Wealth Per Capita*, **International Social Science Journal**, 69: 2020, 1–14
67. S. Asongu, & J. Nnanna, *Inclusive Human Development in Sub-Saharan Africa*, **Journal of Enterprising Communities**, 14: 2020, 183–200
68. G. Atisa, A. Zemrani, & M. Weiss, *Decentralized Governments: Local Empowerment and Sustainable Development Challenges in Africa*, **Environ Dev Sustain**, 23, 2021, 3349–3367
69. S. Kwatra, P. Sharma, & A. Kumar, *A Critical Review of Studies Related to Construction and Computation of Sustainable Development Indices*, **Ecological Indicator**, 112, 106061, 2020
70. D. Karp, *What is the Responsibility to Respect Human Rights? Reconsidering the 'Respect, Protect, and Fulfill' Framework*, **International Theory**, 12(1), 2020, 83–108

71. N. Bueno, & C. Bright, *Implementing Human Rights due Diligence through Corporate Civil Liability*, **International & Comparative Law Quarterly**, 69(4), 2020, 789-818
72. H. Breakey, *Positive Duties and Human Rights: Challenges, Opportunities and Conceptual Necessities*, **Political Studies**, 63(5), 2015, 1198-1215
73. J. Mike, *Re-Evaluating The Relationship Between Patent Rights And Human Rights For The Enhancement Of Access To Essential Medicines*, **African Journal of Law and Human Rights**, 3(2), 2019, 91-99
74. O. Nnamuchi, *Kleptocracy and Its Many Faces: The Challenges of Justiciability of the Right to Health Care in Nigeria*, **Journal of African Law. School of Oriental and African Studies**, 52(1), 2008, 1-42
75. V. Krishnamurthy, *Are Internet Protocols the New Human Rights Protocols? Understanding "RFC 8280 – Research into Human Rights Protocol Considerations*, **Business and Human Rights Journal**, 4(1), 2019, 163-169
76. K. Linos, & T. Pegram, *What Works in Human Rights Institutions*, **American Journal of International Law**, 111(3), 2017, 628-88
77. R. Welch, J. DeMeritt, & C. Conrad, *Conceptualizing and Measuring Institutional Variation in National Human Rights Institutions (NHRIs)*, **Journal of Conflict Resolution**, 65(5), 2021, 1010-1033
78. L. Alaimo, & F. Maggino, *Sustainable Development Goals Indicators at Territorial Level: Conceptual and Methodological Issues-the Italian Perspective*, **Social Indicators Research**, 147(2), 2020, 383-419
79. S. Akhaine, *Human Rights Diplomacy and the Democratic Project in West Africa*, Thesis Submitted for the Degree of Doctor of Philosophy in Politics and International Relations Royal Holloway, University of London, 2004
80. Jin. H, Qian. X, T. Chin, & Zhang. H, *Global Assessment of Sustainable Development: Based on the Modification of Human Development Index with Entropy Method*, **Sustainability**, 12(8) 2020
81. N. Cheeseman, *Institutions and Democracy in Africa*, Cambridge University Press, 2018
82. P. Braveman, E. Arkin, D. Proctor, T. Kauh, & N. Holm, *Systemic and Structural Racism: Definitions, Examples, Health Damages, and Approaches to Dismantling: Study examines definitions, Examples, Health Damages, and Dismantling Systemic and Structural Racism*, **Health Affairs**, 41(2), 2022, 171-178
83. R. Adom, & M. Simatele, *The Role of Stakeholder Engagement in Sustainable Water Resource Management in South Africa*. In *Natural Resources Forum*, Oxford, UK: Blackwell Publishing Ltd, Vol. 46, No. 4, 2022, 410-427
84. J. Sachs, G. Schmidt-Traub, M. Mazzucato, D. Messner, N. Nakicenovic, & J. Rockström, *Six Transformations to achieve the Sustainable Development Goals*, **Nature Sustainability**, 2(9), 2019, 805-814

85. F. Scala, *The Gender Dynamics of Interest Group Politics: The Case of the Canadian Menstruators and the Campaign to Eliminate the “Tampon Tax”*, **The Palgrave Handbook of Gender, Sexuality, and Canadian Politics**, 2020, 379-398
86. T. Häussler, *Civil Society, the Media and the Internet: Changing roles and Challenging Authorities in Digital Political Communication Ecologies*, **Information, Communication & Society**, 24(9), 2021, 1265-1282
87. A. Haleem, M. Javaid, M. Qadri, & R. Suman, *Understanding the Role of Digital Technologies in Education: A Review*. **Sustainable Operations and Computers**, 3, 2022, 275-285
88. M. Krishnamurthy, *Martin Luther King Jr. on Democratic Propaganda, Shame, and Moral Transformation*, **Political Theory**, 50(2), 2022, 305-336

## Chapter Three

### Methodology

#### 3.1 Research Design

This research will make use of descriptive research method. The descriptive research design is a research design that focuses on understanding and interpreting perspectives and experiences through the collection and analysis of non-numerical data, such as interviews, observations, and documents<sup>1</sup>. The research design permits the researcher to emphasize the relationship that exists

among variables in the study. The research study is similarly design in a way that addresses the research objectives and research questions which have been itemized by launching an investigation with the aim of providing answers to the questions.

### **3.2 Population of the Study**

Population of the study refers to the aggregate of persons from whom data of the study were collected. It also denotes the set of respondents that the researcher intends to study<sup>1</sup>. The research work is a qualitative research with the aid of secondary source of data collection, and content analysis, the population of the research is arbitrary not chosen. However, the data and information on the activities of NEPAD is gathered through secondary source of data gathering.

### **3.3 Sampling and Sampling Technique**

Qualitative research deals with data collection in narrative form. This study require the non-probability techniques to enhance the richness of this study's information. The purposive sampling will be used because they align the best across nearly the qualitative research design. This is because information is mostly selected in available literature to analysis concepts in the topic of this research study.

### **3.4 Description of Research Instrument**

The research relied on secondary sources of data. Thus, the research instrument employed in this research study is document analysis. Data collected is harnessing by the wide range of updated information that have been made available online and offline on subject matter.

### **3.5 Validity of Research Instrument**

Validity of instrument is the ability to make finding that are in agreement with theoretical as well as conceptual values. In other words, validity of the research to measure that is suppressed to be the level of consistency of the measuring instrument. In order to ensure the validity of this research work, the book reviewed for this research aligns with the research objectives and research questions thereby, maintaining validity.

Similarly, the sources of data collected are presented to the researcher's supervisor. Also, it was subjected to the department's corrections and approval for proper validation.

### **3.6 Reliability of the Research Instrument**

Reliability in this context refers to the dependability of a measurement. However, in the course of this research work, the researcher work is executed empirically and not subjectively so as to arrive at a logical and more empirical conclusion.

### **3.7 Method of Data Collection**

This research relies mainly on secondary sources. The secondary sources include published (and un-published) materials, such as: books, journals, government recordings, and newspapers. The reason for employing this data is the suitability of the means to the research topic. Also, the source is an indication that there are extant works already done in the chosen line.

### **3.8 Method of Data Analysis**

Data collected will be analysed with the use of content method of analysis. The study recommended that for organisational restructuring. That is, refocus and a renewed commitment toward selecting and achieving list of goals with a clearly well-defined plan based on simple

comprehensive principles that can be understandable by at least an average citizen in order for them to take part and benefit in it.

### **3.9 Ethical Approval**

I, AdedoyinAdedolapo ADELEKE, consciously assure that this thesis: “Study of the Nexus between NEPAD and Right to Development” the following is fulfilled:

The paper reflects the author’s own research and analysis in a truthful manner.

The result are appropriately placed in the context of prior and existing research.

The paper is not currently considered for publication anywhere.

### **Endnote**

1. R.K Yin, *Case Study Research: Design and Methods*, SAGE Publications, 2014

*Do Not Copy, Lead City University, Nigeria*

## **Chapter Four**

### **Results and Discussion of Findings**

**4.1 RQ1: What are the Impact of NEPAD on Poverty Reduction and Access to Basic Services in Africa?**

**4.1.1 Improved Agricultural Productivity as a Major Impact of NEPAD on Poverty Reduction and Access to Basic Services in Africa**

Improved Agricultural Productivity: NEPAD (New Partnership for Africa's Development) has played a significant role in enhancing agricultural productivity in Africa. Through various initiatives, such as the Comprehensive Africa Agriculture Development Programme (CAADP), NEPAD has promoted sustainable agricultural practices, provided technical assistance, and facilitated access to credit and markets for smallholder farmers<sup>1</sup>. This has led to increased food production, improved livelihoods, and reduced poverty. Thus, improved Agricultural productivity has had impacts in Africa as a result of the following NEPAD's initiatives;

Increased Food Production: NEPAD (New Partnership for Africa's Development) has played a crucial role in enhancing agricultural productivity in Africa as well as in Nigeria. Through its various programs and initiatives, NEPAD has focused on promoting sustainable farming practices, providing farmers with access to modern technologies, improving irrigation systems, and offering training and capacity-building programs. These efforts have resulted in increased food production, which is essential for reducing poverty and ensuring food security for the African population.

Poverty Reduction: Agriculture is the primary source of income for a significant percentage of the Nigeria population and in the continent of African, particularly those living in rural areas. By improving agricultural productivity, NEPAD has created opportunities for smallholder farmers to increase their yields and generate higher incomes<sup>1</sup>. This, in turn, helps to reduce poverty by providing farmers with a more stable and sustainable livelihood. Additionally, increased agricultural productivity leads to a surplus of food, which can be sold in markets, generating income for farmers and boosting local economies.

Access to Basic Services: Improved agricultural productivity has a direct impact on access to basic services such as education, healthcare, and infrastructure development. With increased income from farming activities, rural communities have more resources to invest in these essential services. NEPAD has also emphasized the importance of rural infrastructure development, including roads and storage facilities, which facilitates the transportation and storage of agricultural produce. This enables farmers to access markets more easily and ensures that their produce reaches consumers in a timely manner<sup>1</sup>.

Job Creation: Enhanced agricultural productivity not only benefits farmers but also creates employment opportunities throughout the value chain. As farmers increase their production, there is a need for additional labour in various areas such as processing, packaging, transportation, and marketing. This leads to job creation in both rural and urban areas, contributing to poverty reduction by providing individuals with stable employment and income-generating opportunities<sup>2</sup>.

Agricultural Innovation and Technology Transfer: NEPAD has been instrumental in promoting agricultural innovation and technology transfer across Nigeria and in Africa. Through partnerships with international organizations and institutions, NEPAD has facilitated the adoption of modern farming techniques, improved seed varieties, and efficient irrigation systems<sup>2</sup>. These technological advancements have contributed to increased agricultural productivity by enabling farmers to produce higher yields with fewer resources. Additionally, NEPAD has supported research and development initiatives to address specific challenges faced by African farmers, such as climate change and soil fertility issues.

Thus, NEPAD's focus on improving agricultural productivity has had a significant impact on poverty reduction and access to basic services in Nigeria. By increasing food production, reducing poverty, creating employment opportunities, and promoting technological advancements, NEPAD has positively transformed the agricultural sector in Nigeria as well as in Africa. These efforts have not only improved the lives of smallholder farmers but have also contributed to overall economic growth and development in the region.

#### **4.1.2 Enhanced Infrastructure Development as a Major Impact of NEPAD on Poverty Reduction and Access to Basic Services in Africa**

NEPAD has prioritised the development of infrastructure in Africa, particularly in sectors such as transportation, energy, water, and ICT (Information and Communication Technology)<sup>3</sup>. By investing in infrastructure projects, NEPAD has improved connectivity, reduced transportation costs, and enhanced access to basic services such as healthcare and education. This has not only stimulated economic growth but also improved the overall quality of life for people in Africa. Enhanced Infrastructure Development is a crucial aspect of NEPAD (New Partnership for Africa's Development) in its efforts to reduce poverty and improve access to basic services in Africa. NEPAD is a strategic framework for socioeconomic development in Africa, aiming to address the continent's challenges through sustainable and inclusive growth<sup>3</sup>. Thus, Enhanced Infrastructure Development has had impacts in Africa as a result of the following NEPAD's initiatives;

**Transportation Infrastructure:** NEPAD recognizes the importance of efficient transportation infrastructure in reducing poverty and enhancing access to basic services. It focuses on developing and improving roads, railways, ports, and airports across Africa<sup>3</sup>. Better transportation

infrastructure facilitates trade, connects rural areas with urban centers, and allows for the movement of goods and services. This leads to increased economic activity, job creation, and improved access to markets, healthcare, education, and other essential services for marginalized communities.

**Energy Infrastructure:** NEPAD recognizes the significance of reliable and affordable energy access for poverty reduction. It emphasizes the development and expansion of energy infrastructure, including renewable energy sources. By investing in energy infrastructure, NEPAD aims to provide electricity to rural areas, promote clean energy solutions, and reduce reliance on fossil fuels. Access to electricity improves living conditions, supports economic activities, and enables the provision of essential services such as healthcare and education<sup>3</sup>.

**Water and Sanitation Infrastructure:** NEPAD recognizes that access to clean water and sanitation is fundamental for poverty reduction and human development. It promotes the development of water supply systems, sanitation facilities, and improved management of water resources. By investing in water and sanitation infrastructure, NEPAD aims to improve public health, reduce waterborne diseases, increase agricultural productivity, and enhance overall quality of life<sup>3</sup>. It particularly focuses on reaching underserved rural areas and marginalized communities.

**ICT Infrastructure:** NEPAD acknowledges the role of information and communication technology (ICT) in promoting socio-economic development. It emphasizes the need for affordable and accessible ICT infrastructure across Africa<sup>3</sup>. By expanding ICT infrastructure, NEPAD aims to bridge the digital divide, promote e-commerce, enhance educational

opportunities, and improve access to vital information and services. This contributes to poverty reduction by empowering individuals and communities with knowledge and opportunities.

**Social Infrastructure:** NEPAD recognizes that social infrastructure, such as schools, hospitals, housing, and community centers, plays a crucial role in poverty reduction and ensuring access to basic services. Through partnerships with governments, NGOs, and international institutions, NEPAD supports the development and improvement of social infrastructure across Africa<sup>3</sup>. This helps in providing quality education, healthcare services, affordable housing, and community spaces that are essential for human development.

#### **4.1.3 Promotion of Regional Integration and Trade as a Major Impact of NEPAD on Poverty Reduction and Access to Basic Services in Africa**

NEPAD has been instrumental in facilitating regional integration and trade within Africa. Through initiatives like the African Continental Free Trade Area (AfCFTA) and the Programme for Infrastructure Development in Africa (PIDA), NEPAD has fostered economic cooperation among African countries<sup>4</sup>. This has led to increased trade, job creation, and economic growth, ultimately contributing to poverty reduction and improved access to basic services. Thus, promotion of regional integration and trade has had impacts in Africa as a result of the following NEPAD's initiatives;

**Enhancing Economic Cooperation:** NEPAD, the New Partnership for Africa's Development, has placed a strong emphasis on promoting regional integration and trade within Africa<sup>3</sup>. By encouraging economic cooperation among African countries, NEPAD aims to create a conducive environment for sustainable economic growth and development.

Facilitating Trade: NEPAD recognizes that regional integration and increased intra-African trade can play a crucial role in poverty reduction and improving access to basic services. Through initiatives like the African Continental Free Trade Area (AfCFTA), NEPAD seeks to remove trade barriers, reduce tariffs, and harmonize trade regulations across the continent<sup>4</sup>. This facilitates trade between African countries, promotes economic diversification, and expands market opportunities.

Creating Jobs and Reducing Poverty: The promotion of regional integration and trade can lead to the creation of jobs and income-generating opportunities. Increased trade activities foster economic growth, attract investments, and stimulate entrepreneurship. These factors contribute to poverty reduction by providing employment opportunities and improving household incomes, thereby enabling individuals to access basic services such as healthcare, education, and clean water.

Boosting Agricultural Productivity: NEPAD recognizes the importance of agriculture in poverty reduction and food security. Through regional integration, African countries can benefit from economies of scale, improved infrastructure, and increased market access for agricultural products. This enhances agricultural productivity, reduces post-harvest losses, and promotes value addition along the agricultural value chain. Ultimately, these efforts translate into higher incomes for farmers, increased food production, and improved access to nutritious food for vulnerable populations.

Infrastructure Development: Regional integration requires the development of efficient infrastructure networks, such as roads, railways, ports, and telecommunications. NEPAD's Program for Infrastructure Development in Africa (PIDA) aims to address Africa's infrastructure

deficit by promoting cross-border infrastructure projects. Improved infrastructure not only facilitates trade but also enhances access to basic services such as electricity, transportation, and communication<sup>4</sup>. This infrastructure development is crucial for poverty reduction and socio-economic development.

**Knowledge Sharing and Capacity Building:** NEPAD promotes knowledge sharing and capacity building among African countries to enhance their competitiveness in regional and international markets<sup>4</sup>. This includes sharing best practices, technical expertise, and promoting innovation and technology transfer. By encouraging collaboration and learning from each other, NEPAD facilitates the development of human capital and empowers African countries to better tackle poverty eradication and improve access to basic services.

## **4.2 RQ 2: To Which Extent has NEPAD Contributed to Enhancement of Right to Development?**

### **4.2.1 Strengthening of Good Governance as an Enhancement of Right to Development**

NEPAD recognises that good governance is essential for development. It has supported African governments in enhancing transparency, accountability, and the rule of law. By promoting democratic practices and combating corruption, NEPAD has created an enabling environment for development, ensuring that resources are utilised effectively and equitably<sup>6</sup>. Strengthening Good Governance is a major contribution of the Right to Development by NEPAD. This initiative, known as the New Partnership for Africa's Development, aims to promote sustainable development and eradicate poverty in Africa. NEPAD recognizes that good governance is crucial

for achieving these goals and has implemented various strategies to enhance governance practices across the continent.

One key aspect of strengthening good governance is promoting transparency and accountability. NEPAD encourages governments to adopt policies and practices that promote transparency in decision-making processes, public administration, and financial management<sup>6</sup>. This helps to ensure that resources are utilized effectively and efficiently, and that corruption is minimized. By promoting accountability, NEPAD seeks to hold governments responsible for their actions, ensuring that they are answerable to the people they serve. Another important element of strengthening good governance is fostering the rule of law. NEPAD recognizes that the rule of law is essential for creating an enabling environment for development. It encourages African countries to establish and strengthen independent judicial systems that uphold the principles of justice, fairness, and equality. This helps to protect the rights of individuals and businesses, promote stability and predictability, and attract investment.

NEPAD also emphasizes the importance of promoting citizen participation and inclusiveness in decision-making processes. It encourages governments to engage with civil society organizations, the private sector, and other stakeholders to ensure that policies are informed by diverse perspectives and address the needs and aspirations of all citizens<sup>7</sup>. By involving citizens in decision-making, NEPAD aims to enhance the legitimacy of governance processes and promote social cohesion<sup>7</sup>. Furthermore, NEPAD places great emphasis on promoting effective public administration and service delivery. It encourages governments to develop efficient and accountable public institutions that are capable of delivering essential services to their citizens<sup>7</sup>. This includes improving public financial management systems, enhancing the capacity of public

officials, and promoting merit-based recruitment and promotion processes. By doing so, NEPAD aims to improve the quality and accessibility of public services, which is crucial for inclusive development. In addition to these efforts, NEPAD recognizes the importance of combating corruption and promoting ethical practices<sup>8</sup>. It encourages governments to implement anti-corruption measures, strengthen institutions responsible for combating corruption, and promote transparency in public procurement processes. By addressing corruption, NEPAD aims to ensure that resources are allocated fairly and used for the benefit of all citizens.

Overall, strengthening good governance is a major contribution of the Right to Development by NEPAD. Through its initiatives, NEPAD promotes transparency, accountability, the rule of law, citizen participation, effective public administration, and the fight against corruption. By focusing on these aspects, NEPAD aims to create an enabling environment for sustainable development, poverty eradication, and the realization of human rights in Africa.

#### **4.2.2 Improved Education and Skill Development as an Enhancement of Right to Development**

Improved Education and Skills Development play a significant role in enhancing the right to development, as recognised by the New Partnership for Africa's Development (NEPAD). NEPAD prioritizes education and skills development as key drivers of Right to Development<sup>8</sup>. Through initiatives like the African Education Initiative and the African Universities Harmonization and Quality Assurance Program, NEPAD has worked towards improving the quality and accessibility of education across the continent. By investing in human capital, NEPAD has empowered individuals and communities to actively participate in the development process<sup>8</sup>. NEPAD acknowledges that education is not only an essential human right but also a

critical tool for empowering individuals and societies. Access to quality education equips individuals with knowledge, skills, and capabilities necessary for their personal development and active participation in society. Similarly, education is closely linked to economic growth and poverty reduction. By investing in education and skills development, countries can create a skilled workforce that contributes to economic productivity and innovation. This, in turn, leads to higher incomes, improved living conditions, and reduced poverty rates. NEPAD recognises the importance of providing quality education to all individuals, regardless of their socio-economic background. It emphasizes the need for inclusive and equitable education systems that address the specific needs of marginalized groups, such as girls, children with disabilities, and those living in rural areas.

Also, NEPAD emphasises the importance of skills development in preparing individuals for the job market. By equipping people with relevant and marketable skills, countries can enhance their human capital, attract investment, and foster economic competitiveness<sup>9</sup>. Skills development initiatives can include vocational training, apprenticeships, and entrepreneurship programs. The institution also recognises that gender equality is essential for sustainable development. It promotes initiatives that prioritize girls' education, eliminate gender disparities in education, and empower women through skills development. By investing in women's education and skills, societies can unlock their potential as agents of change and contributors to economic growth. NEPAD acknowledges that education is a lifelong process that goes beyond formal schooling<sup>9</sup>. It promotes the concept of lifelong learning, which encompasses both formal and non-formal learning opportunities throughout an individual's life. Lifelong learning enables individuals to adapt to changing labor markets, acquire new skills, and remain competitive in a rapidly evolving world. NEPAD similarly recognises the importance of partnerships among

governments, civil society organizations, private sector entities, and international institutions in advancing education and skills development. It encourages collaboration to mobilize resources, share best practices, and promote innovation in education delivery models.

The followings are some of the collaborating institutions of NEPAD on enhancement of improved Education and Skills Development. Agency for Cooperation and Research in Development (ACORD), African Capacity Building Foundation (ACBF), African Development Bank (AfDB), African Union Commission (AUC), Association for the Development of Education in Africa (ADEA), Commonwealth of Learning (COL), International Labour Organization (ILO), United Nations Educational, Scientific and Cultural Organization (UNESCO), United Nations Development Programme (UNDP), and the World Bank Group<sup>9</sup>.

### **4.3 RQ 3: What are the Challenges Confronting NEPAD towards the Actualisation of Right to Development?**

#### **4.3.1 Insufficient Funding as a Challenge Confronting NEPAD**

NEPAD faces the challenge of inadequate financial resources to fully implement its programs and initiatives aimed at realising the Right to Development<sup>10</sup>. Without adequate funding, it becomes difficult for NEPAD to effectively address the various challenges facing African countries and promote sustainable development. One of the primary impacts of insufficient funding is the limited implementation of NEPAD's programs and projects<sup>10</sup>. Without adequate financial resources, NEPAD struggles to execute its initiatives effectively, resulting in delays or even abandonment of critical projects. This hampers NEPAD's ability to achieve its goals and deliver tangible results.

NEPAD aims to build the capacity of African countries in various sectors such as agriculture, infrastructure, and education<sup>11</sup>. However, insufficient funding limits the scope and effectiveness of these capacity-building efforts. NEPAD may not be able to provide necessary training programs, technical assistance, or resources to support African countries in their development endeavours. NEPAD promotes research and development activities to foster innovation and address key challenges faced by African countries<sup>11</sup>. However, inadequate funding restricts NEPAD's ability to invest in research projects, collaborate with academic institutions, and support technological advancements. This hinders the development of sustainable solutions for Africa's socio-economic problems<sup>11</sup>.

Insufficient funding affects NEPAD's ability to raise awareness about its initiatives and engage with stakeholders effectively<sup>11</sup>. NEPAD similarly struggles to conduct awareness campaigns, organize conferences, or participate in international forums due to financial constraints<sup>11</sup>. This limits the visibility and impact of NEPAD's work, hindering its ability to garner support and mobilize resources. Adequate funding is crucial for NEPAD's governance and coordination activities. Insufficient funds may result in a shortage of skilled personnel, inadequate infrastructure, or limited administrative support. This hampers NEPAD's ability to effectively coordinate with African governments, regional bodies, and international partners, impacting the overall governance and management of the organisation. Insufficient funding also limits NEPAD's capacity to monitor and evaluate the progress of its programs and projects<sup>11</sup>. Without adequate resources, NEPAD may struggle to collect data, conduct assessments, or analyze the impact of its interventions. This hinders the organization's ability to make informed decisions, identify gaps, and improve its performance.

Insufficient funding similarly undermines NEPAD's efforts to attract partnerships and mobilise resources. Potential partners, including governments, donor agencies, and private sector entities, may be hesitant to collaborate with NEPAD if they perceive it as underfunded or unable to deliver on its commitments<sup>12</sup>. This reduces NEPAD's ability to leverage external resources and support for its initiatives. NEPAD aims to drive Africa's economic transformation by promoting sustainable development and regional integration<sup>12</sup>. However, insufficient funding can delay or impede these transformational efforts. Without adequate financial resources, NEPAD may struggle to implement projects that promote industrialization, enhance trade facilitation, or improve infrastructure, hindering Africa's overall economic growth and development.

#### **4.3.2 Political Instability as a Challenge Confronting NEPAD**

Many African countries experience political instability, which poses a significant challenge to NEPAD's efforts towards the actualization of the Right to Development<sup>12</sup>. Political instability can hinder policy implementation, disrupt development projects, and create an unfavorable environment for economic growth. Political instability often leads to frequent changes in government leadership and policies<sup>13</sup>. This can disrupt NEPAD's efforts to implement its programs and initiatives, as new governments may have different priorities and approaches. The lack of continuity in policy implementation hinders NEPAD's ability to achieve its goals effectively<sup>13</sup>. Political instability in Africa creates an environment of uncertainty, which discourages both domestic and foreign investments. NEPAD relies on investments to fund its projects and programs<sup>13</sup>. However, when political instability prevails, investors become hesitant to commit their resources due to the perceived risks. This lack of investment makes it challenging for NEPAD to secure the necessary funding to carry out its operations effectively. In Africa, political instability is often accompanied by weak governance structures and high levels

of corruption<sup>13</sup>. These factors undermine NEPAD's efforts to promote Right to Development, good governance, transparency, and accountability in Africa. NEPAD's initiatives aimed at combating corruption and improving governance are hindered by the prevalence of these issues, making it difficult to achieve sustainable development goals.

Political instability leads to strained relationships between African countries, resulting in limited regional cooperation. NEPAD relies on collaboration among African states to implement its programs effectively. However, when political instability prevails, countries may prioritize their internal political struggles over regional cooperation, hampering NEPAD's ability to achieve its objectives<sup>13</sup>. Political instability often goes hand in hand with security challenges such as armed conflict, terrorism, and civil unrest. These security issues divert resources and attention away from NEPAD's development agenda<sup>14</sup>. In such situations, the organization may need to redirect its efforts towards addressing immediate security concerns rather than focusing on long-term development projects. Political instability triggers a brain drain, where skilled professionals leave their home countries in search of stability and better opportunities elsewhere. This brain drain deprives NEPAD of valuable human resources needed for implementing its programs effectively. The loss of skilled individuals further hampers the organization's capacity to address development challenges in Africa. Political instability in Africa erodes public trust and confidence in government institutions, including bodies like NEPAD<sup>14</sup>. When citizens lose faith in their governments, they may become less supportive of development initiatives and less willing to actively participate in NEPAD's programs. This lack of public support makes it difficult for NEPAD to mobilise resources and implement its projects successfully.

#### **4.3.3 Lack of Coordination as a Challenge Confronting NEPAD**

Coordinating various stakeholders, including African governments, regional organisations, international partners, and civil society, poses a significant challenge for NEPAD<sup>15</sup>. Effective coordination is essential for the successful implementation of development programs and initiatives. One of the key ways in which this lack of coordination affects NEPAD is in the realm of resource allocation<sup>15</sup>. Without proper coordination, it becomes difficult for NEPAD to ensure that resources are allocated efficiently and effectively across different projects and initiatives. This can lead to duplication of efforts, wastage of resources, and ultimately a failure to achieve the desired outcomes. In addition, lack of coordination also hampers NEPAD's ability to collaborate with other regional and international organisations<sup>15</sup>. NEPAD's success relies heavily on its ability to work in partnership with various stakeholders, including governments, civil society organizations, and international development agencies. However, without coordination, it becomes challenging to establish and maintain these partnerships, reducing NEPAD's influence and effectiveness<sup>15</sup>.

Furthermore, the lack of coordination in Africa also impacts NEPAD's ability to harmonize policies and regulations across different countries. One of NEPAD's objectives is to promote regional integration and economic development through the adoption of common policies and regulations<sup>15</sup>. However, achieving this objective becomes challenging when there is a lack of coordination among African countries. Divergent policies and regulations create barriers to trade and investment, hindering economic growth and development. Another area where lack of coordination affects NEPAD is in the implementation of infrastructure projects<sup>16</sup>. NEPAD places great emphasis on infrastructure development as a catalyst for economic growth and poverty reduction. However, without coordination among African countries, it becomes difficult to plan, finance, and implement large-scale infrastructure projects that require cross-border cooperation.

This can lead to delays, cost overruns, and suboptimal outcomes. Additionally, lack of coordination also undermines NEPAD's efforts in addressing common challenges such as climate change, health crises, and security threats<sup>15</sup>. These issues require collective action and coordinated responses from African countries. Without coordination, NEPAD's ability to mobilize resources, share knowledge, and develop joint strategies is limited, making it harder to tackle these challenges effectively. Also, lack of coordination in Africa also affects NEPAD's credibility and reputation. When African countries fail to coordinate their efforts under the NEPAD framework, it sends a message that they are not fully committed to regional integration and development<sup>15</sup>. This undermines the confidence of international partners and donors in NEPAD's ability to deliver on its promises, making it harder to secure the necessary support and resources. Thus, lack of coordination in Africa has a detrimental impact on NEPAD's operations. It hampers resource allocation, limits collaboration with other organizations, impedes policy harmonization, hinders infrastructure development, undermines collective action on common challenges, and damages NEPAD's credibility. Addressing this lack of coordination is crucial for NEPAD to effectively implement its goals and contribute to the development and integration of Africa.

## Endnotes

1. D. LeClercq, *The Disparate Treatment of Rights in U.S. Trade*, **90 Fordham Law Review**, 90, 1, 2021
2. M. Nyarko & A. Jegede, *Human Rights Development in the African Union during 2016*, **African Human Rights Law Journal**, 17 (1), 2017, 294-319
3. D. Murray, *Non-State Armed Groups, Detention Authority in Non-International Armed Conflict, and the Coherence of International Law: Searching for a way forward*, **Leiden Journal of International Law**, 2017, 435-438
4. O. Felix & A. Akujobi, *Enforcement of Fundamental Rights in National Constitutions: Resolving the conflict of Jurisdiction between the Federal High Court and State High Court in Nigeria*, **Beijing Law Review**, 9, 2018, 53-58
5. C. O’Cinneide, *Rights Under Pressure*, **European Human Rights Law Review**, 1, 2017, 43-48
6. M. Kanetake, *UN Human Rights Treaty Monitoring Bodies before Domestic Courts*, **International and Comparative Law Quarterly**, 2018, 201-222
7. A. Possi, *It is Better that Ten Guilty Persons Escape than that one Innocent Suffer’: The African Court on Human and Peoples’ Rights and Fair Trial Rights in Tanzania*, **African Human Rights Yearbook**, 2017, 311-332
8. C. Okoloise, *Circumventing Obstacles to the Implementation of Recommendations by the African Commission on Human and Peoples’ Rights*, **African Human Rights Law Journal**, 18, 2018
9. W. Mutunga, *Human Rights States and Societies: A Reflection from Kenya*, **Human Rights in Africa: Contemporary Debates and Struggles**, 2019, 19-57
10. M. Ssenyonjo, *Responding to Human Rights Violations in Africa: Assessing the Role of the African Commission and Court on Human and Peoples’ Rights (1987-2018)*, **International Human Rights Law Review**, 7, 2018, 1-10
11. J. Sarkin, *Reforming the Role of the African Commission on Human and Peoples’ Rights in Advancing Democratic Principles and Human Rights in African Countries: An Examination Using the Lens of Swaziland/eSwatini*. **Policy**, 421, 2019, 445

12. K. Buhmann, B. FASTERLING, & A. VOICULESCU, Business & Human Rights Research Methods, **Nordic Journal of Human Rights**, 36(4), 2018, 323-332
13. S. Koob, S. Jørgensen, & H. Sano, *An Econometric Analysis of Freedom and Participation Rights*, **Matters of Concern, the Danish Institute for Human Rights**, 1, 2017
14. D. Rodrik, & S. Stantcheva, *A Policy Matrix for Inclusive Prosperity*, **National Bureau of Economic Research**, (No. w28736), 2021
15. C. Riedy, *Discourse Coalitions for Sustainability Transformations: Common ground and Conflict Beyond Neoliberalism*, **Current Opinion in Environmental Sustainability**, 45, 2020
16. M. Broberg, & H. Sano, Strengths and Weaknesses in a Human Rights-Based Approach to International Development—An Analysis of a Rights-Based Approach to Development Assistance Based on Practical Experiences, **The International Journal of Human Rights**, 22(5), 2018, 664-680

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## **Chapter Five**

### **Conclusion**

#### **5.1 Summary of Findings**

The fact has been established that NEPAD is a very important and integral institution in the attainment to Right to Development in the continent of Africa. NEPAD is an initiative launched by African leaders in 2001, aiming to promote socioeconomic development and poverty reduction across the continent. Thus, the Right to Development is a fundamental human right recognized by the United Nations, emphasizing the need for equitable access to resources and opportunities for all individuals and communities. The research study therefore finds various programs, policies, and projects implemented by NEPAD towards the attainment of Right to Development in Africa will be more successful if mechanism puts in place are strictly adhere to and if the challenges of political instability, insufficient funding, lack of coordination are immediately addressed, global economic dynamics as well as conflict and security concerns are swiftly addressed.

The research study similarly finds the significance importance of regional cooperation and sustainable development in promoting the Right to Development in Africa. It shows that without effective and efficient regional cooperation among sovereign states, the attainment of Right to Development in Africa will continue to be remain elusive and unattainable. Similarly, the

research study finds that improved governance in each sovereign state in Africa will help reduce poverty, as well as enhance the success of NEPAD's policies especially in the attainment of Right to Development in Africa through its policies.

## **5.2 Conclusion**

In conclusion, the research study asserts that NEPAD (New Partnership for Africa's Development) is an important initiative that has been implemented in Africa with the goal of promoting development and addressing the various challenges faced by the continent. The research concludes that NEPAD has had a significant impact on the Right to Development in Africa. It has played a crucial role in promoting economic growth, poverty reduction, and social development. Through its various programs and initiatives, NEPAD has facilitated increased investment, improved infrastructure, and enhanced access to education and healthcare in several African countries. One of the key impacts of NEPAD on the right to development is the promotion of good governance and accountability. NEPAD has emphasized the importance of democratic governance, transparency, and the rule of law in achieving sustainable development. This has led to increased efforts by African governments to improve governance structures, combat corruption, and protect human rights. Similarly, NEPAD has also been successful in fostering regional integration and cooperation in Africa. Through its regional infrastructure projects and trade initiatives, NEPAD has facilitated increased trade flows and economic integration among African countries. This has not only stimulated economic growth but also contributed to the overall development of the continent.

### 5.3 Recommendations

For NEPAD's impact and prospect on Right to Development, the study recommends the following;

- i. Foster inclusive and participatory decision-making processes within NEPAD to ensure that the perspectives and needs of marginalized groups are taken into account.
- ii. Strengthen collaboration between NEPAD and civil society organizations to enhance transparency, accountability, and public participation in development initiatives.
- iii. Conduct comprehensive research on the impact of NEPAD's programs and policies on the right to development, with a focus on identifying areas for improvement and best practices.
- iv. Develop and implement indicators and monitoring mechanisms to track progress in promoting the right to development within NEPAD's initiatives.
- v. Promote knowledge-sharing and capacity-building activities to enhance the understanding of the Right to Development among NEPAD staff, member states, and other stakeholders.
- vi. Advocate for the integration of human rights principles, including the Right to Development, into national and regional development plans and strategies supported by NEPAD.
- vii. Encourage dialogue and collaboration among member states to share experiences, challenges, and lessons learned in promoting the right to development within their respective contexts.

- viii. Support research initiatives that explore the linkages between the right to development and other human rights, such as the right to education, health, and access to justice.
- ix. Strengthen partnerships with international organizations and development agencies to leverage resources and expertise in advancing the right to development through NEPAD's programs.
- x. Conduct awareness-raising campaigns and public outreach activities to promote a broader understanding and appreciation of the right to development among the general public.

#### **5.4 Contribution to Knowledge**

This research work contributes to the body of knowledge as it will help to shed more light on impact and prospect of NEPAD's Right to Development. The study contribute to the body of knowledge by exposing NEPAD's instrumental role in addressing key development challenges faced by African countries. Through its focus on good governance, economic growth, and poverty reduction, NEPAD has contributed to improving the living standards of African populations. The initiative has facilitated regional integration, infrastructure development, and agricultural transformation, which are essential components of sustainable development. By promoting a holistic and inclusive approach to development, NEPAD has helped African nations to overcome historical obstacles and achieve progress.

One of the significant contributions of NEPAD is its emphasis on the right to development. The right to development is a fundamental human right that ensures individuals' freedom and well-

being. NEPAD recognizes this right and incorporates it into its policies and programs. By prioritizing inclusive growth, poverty eradication, and social justice, NEPAD aims to ensure that all Africans have equal opportunities for development. The initiative provides a platform for African countries to collaborate and share best practices, enabling them to learn from each other's experiences and enhance their development efforts.

### **5.5 Area of Further Studies**

Significant areas for further studies are; The Role of NEPAD in Promoting Economic Development in Africa, Assessing the Effectiveness of NEPAD in Addressing Social Inequality, Environmental Sustainability and NEPAD: A Comparative Study, Evaluating the Impact of NEPAD on Governance and Democracy in Africa and Exploring the Potential of NEPAD in Promoting Regional Integration and Cooperation.

## Bibliography

### Chapters in Book

Adom. R, &Simatele. M, *The Role of Stakeholder Engagement in Sustainable Water Resource Management in South Africa*. In *Natural Resources Forum*, Oxford, UK: Blackwell Publishing Ltd, Vol. 46, No. 4, 2022, 410-427

Austin. A, *Well-Being and Social Justice: In Defence of the Capabilities Approach*, In *The Politics of wellbeing: Theory, Policy and Practice*, Cham: Springer International Publishing, 2018, 49-70

Dauda. R, *Inequality: the Fundamental Bane of Poverty Alleviation in Nigeria*, In Baikady, R et al (eds.), *The Routledge International Handbook of Poverty in the Global South*,Routledge: New York, London and New Delhi, 2021

FitzGerald. V, & Siu. E, *The Effects of International Tax Competition on National Income Distribution*. In *International Policy Rules and Inequality: Implications for Global Economic Governance*, Columbia University Press, 2019, 243-272

Holmberg J, &Sandbrook R, *Sustainable development: what is to be done?*, In *Policies for a Small Planet*, Routledge, 2019, 19-38

### Book

Dauda. R, *The Paradox of Persistent Poverty Amidst High Growth: The Case of Nigeria*. In Kanbur, R., Sandbrook, R & Shaffer, P (forthcoming), *Immiserising Growth: When Growth Fails the Poor*, Oxford University Press: Oxford,2019

Diao. X, McMillan. M, &Rodrik. D, *The Recent Growth Boom in Developing Economies: A Structural-Change Perspective*, Springer International Publishing, 2019, 281-334

Mayah. E, Mariotti. C, &Odo. C, *Inequality in Nigeria: exploring the drivers*, Oxfam International, 2017

Mbaku. J, *Protecting minority rights in African countries*, Edward Elgar Publishing, 2018

Sachs. J, Schmidt-Traub. G, *The Sustainable Development Goals and COVID-19, Sustainable Development Report 2020*, Cambridge: Cambridge University Press, 2020

Seery. M, Okanda. J, & Lawson. M, *A Tale of two Continents: Fighting Inequality in Africa*, **Oxfam International**, 2019, 1-38

Skubikowski K, Wright C, & Graf R, *Social Justice Education: Inviting Faculty to Transform their Institutions*, Taylor & Francis, 2023

Waller. B, *African Children in Peril*, Troubador Publishing Ltd, 2023

### **Dissertation**

Akhaine. S, *Human Rights Diplomacy and the Democratic Project in West Africa*, Thesis Submitted for the Degree of Doctor of Philosophy in Politics and International, Relations Royal Holloway, University of London, 2004

### **Journal**

Alaimo. L, &Maggino. F, *Sustainable Development Goals Indicators at Territorial Level: Conceptual and Methodological Issues-the Italian Perspective*, **Social Indicators Research**, 147(2), 2020, 383–419

Ali. E, Anufriev.V, &Amfo. B, Green Economy Implementation in Ghana as a Road Map for a Sustainable Development Drive: A Review, **Scientific African**, 12, e00756, 2021

Amalu. N &Adetu. M, *The role of the National Human Rights Commission in Post Conflict Situation in Nigeria*, **8 International Journal of Arts and Humanities**, 2019

Amos. M, *The Value of the European Court of Human Rights to the United Kingdom*, **European Journal of Human Rights**, 28 (3), 2017

Anifalaje. K, *Implementation of the Right to Social Security in Nigeria*, **African Journal of Human Rights**, 17 (2), 2017

Anyanwu. J, & Salami. A, The Impact of COVID-19 on African economies: An introduction, **African Development Review**, 33(Suppl 1), 2021

Asongu. S, &Nnanna. J, *Inclusive Human Development in Sub-Saharan Africa*, **Journal of Enterprising Communities**, 14: 2020, 183–200

Atisa. G, Zemrani. A, & Weiss. M, *Decentralized Governments: Local Empowerment and Sustainable Development Challenges in Africa*, **Environ Dev Sustain**, 23: 2021, 3349–3367

Beling. A, Vanhulst. J, Demaria. F, Rabi. V, Carballo. A, &Pelenc. J, *Discursive Synergies for a <Great Transformation> Towards Sustainability: Pragmatic Contributions to a Necessary*

- Dialogue Between Human Development, Degrowth, and BuenVivir, Ecological Economics*, 144, 2018, 304-313
- Breakey, H, *Positive Duties and Human Rights: Challenges, Opportunities and Conceptual Necessities*, **Political Studies**, 63(5), 2015, 1198-1215
- Braveman. P, Arkin. E, Proctor. D, Kauh. T, & Holm. N, *Systemic and Structural Racism: Definitions, Examples, Health Damages, and Approaches to Dismantling: Study Examines Definitions, Examples, Health Damages, and Dismantling Systemic and Structural Racism*, **Health Affairs**, 41(2), 2022, 171-178
- Broberg. M, & Sano. H, Strengths and Weaknesses in a Human Rights-Based Approach to International Development—An Analysis of a Rights-Based Approach to Development Assistance Based on Practical Experiences, **The International Journal of Human Rights**, 22(5), 2018, 664-680
- Bueno. N, & Bright. C, *Implementing Human Rights due Diligence through Corporate Civil Liability*, **International & Comparative Law Quarterly**, 69(4), 2020, 789-818
- Buhmann. K, FASTERLING. B, & VOICULESCU. A, Business & Human Rights Research Methods, **Nordic Journal of Human Rights**, 36(4), 2018, 323-332
- Catalán. E, *The Human Right to Health: Solidarity in the Era of Healthcare Commercialization*, Edward Elgar Publishing, 2021
- Cheeseman. N, *Institutions and Democracy in Africa*, Cambridge University Press, 2018
- Corkery A, Isaacs. G, & Osborne. C, *Pushing Boundaries: Building a Community of Practice at the Intersection of Human Rights and Economics*, **Nordic Journal of Human Rights**, 40(1), 2022, 44-63
- Dauda. R, Poverty and Economic Growth in Nigeria: Issues and Policies, **Journal of Poverty**, 21(1), 2017, 61-79
- Deinne. C & Ajayi. D, *Dynamics of Inequality, Poverty and Sustainable Development of Delta State, Nigeria*. **GeoJournal**, 86.1, 2019, 431-443
- Dickson. M, & Ezirim. G, *The Political Economy Of Recession In Nigeria's Fourth Republic*, **African Journal of Political Science and International Relations**, 11(7), 2017, 193-200
- Dickson. M, *Globalisation and COVID-2019 Pandemics: The Nexus and Impact on Development in Africa*, **African Journal of Political Science and International Relations**, 15(1), 2021, 11-18
- Dickson. M, Globalisation and Development Challenges in Africa: Prognosis for the 21st Century, **Journal of Sustainable Development in Africa**, 23(3), 2021
- Dinokopila. B & Rhoda. I, *The Kenya National Commission on Human Rights under the 2010 Constitutional Dispensation*, **African Journal of International and Comparative Law**, 26 (2), 2018

- Donders. Y, *Cultural Heritage and Human Rights*, Published in: **Oxford Handbook on International Cultural Heritage Law**, Amsterdam Law School Research Paper, 2020, 2020-37
- Duxbury. N, *Custom as Law English Law*, **Cambridge Law Journal**, 76 (2), 2017, 337-359
- Engstorm. P &Hillebrecht. C, *Institutional Change and the InterAmerican Human Rights System*, **International Human Rights Journal**, 22 (9), 2018, 1111-1122
- Enuka. C, *Dependency Theory and Global Economic Imbalance: A critique*, **UJAH:Unizik Journal of Arts and Humanities**, 19(1), 2018, pp 130-148
- Enyew. A, *The Relationship between International Criminal Court and Africa: From Cooperation to Confrontation*, **3 Bahir Dar University Journal of Law**, 2012
- Etone. D, *African States: Themes Emerging from the Human Rights Council's Universal Periodic Review*, **Journal of African Law**, 62 (2), 2018
- Felix. O &Akujobi. A, *Enforcement of Fundamental Rights in National Constitutions: Resolving the conflict of Jurisdiction between the Federal High Court and State High Court in Nigeria*, **Beijing Law Review**, 9, 2018, 53-58
- Fikfak. V, *Changing State Behaviour: Damages before the European Court of Human Rights*, **European Journal of International Law**, 29 (4), 2018
- Fombad. C, *Designing Institutions and Mechanisms for the Implementation and Enforcement of the Constitution: Changing Perspective in Africa*, **African Journal of International and Comparative Law**, 25 (1), 2017
- Hafner-Burton E, & Ron. J, *Seeing Double – Human Rights Impact through Qualitative and Quantitative Eyes*, **World Politics**, 61 (2), 2009, 360-401
- Haleem. A, Javaid. N, Qadri. M, & Suman. R, *Understanding the Role of Digital Technologies in Education: A Review*. **Sustainable Operations and Computers**, 3, 2022, 275-285
- Häussler. T, *Civil Society, the Media and the Internet: Changing roles and Challenging Authorities in Digital Political Communication Ecologies*, **Information, Communication & Society**, 24(9), 2021, 1265-1282
- Herberg-Rothe. A, *There is no Political Democracy without Relational Equality in Society*, **African Journal of Democracy and Election Research**, 1(1), 2021, 9–29
- Ifeakachukwu. N, *Globalisation, economic growth and income inequality in Nigeria*, **Indian Journal of Human Development**, 14(2), 2020, 202–212
- Jin. H, Qian. X, T. Chin, & Zhang. H, *Global Assessment of Sustainable Development: Based on the Modification of Human Development Index with Entropy Method*, **Sustainability**, 12(8) 2020
- Kanetake. M, *UN Human Rights Treaty Monitoring Bodies before Domestic Courts*, **International and Comparative Law Quarterly**, 2018, 201-222
- Karp. D, *What is the Responsibility to Respect Human Rights? Reconsidering the 'Respect, Protect, and Fulfill' Framework*, **International Theory**, 12(1), 2020, 83–108

- Koob. S, Jørgensen. S, & Sano. H, *An Econometric Analysis of Freedom and Participation Rights, Matters of Concern, the Danish Institute for Human Rights, 1*, 2017
- Koomson. I, Villano. R, & Hadley. D, Effect of Financial Inclusion on Poverty and Vulnerability to Poverty: Evidence using a Multidimensional Measure of Financial Inclusion, **Social Indicators Research**, 149(2), 2020, 613-639
- Krishnamurthy. V, *Are Internet Protocols the New Human Rights Protocols? Understanding "RFC 8280 – Research into Human Rights Protocol Considerations*, **Business and Human Rights Journal**, 4(1), 2019, 163-169
- Krishnamurthy. M, *Martin Luther King Jr. on Democratic Propaganda, Shame, and Moral Transformation*, **Political Theory**, 50(2), 2022, 305-336
- Kwatra. S, Sharma. P, & Kumar. A, *A Critical Review of Studies Related to Construction and Computation of Sustainable Development Indices*, **Ecological Indicator**, 112, 106061, 2020
- Kyrydon. A, & Troyan. S, *International Relations as a System and a Discipline: From the Westphalian to the Post-Westphalian World Order*, **Studia i Analizy Nauk o Polityce**, (1), 2021, 107-122
- LeClercq. D, *The Disparate Treatment of Rights in U.S. Trade*, **90 Fordham Law Review**, 90, 1, 2021
- Lesch. M, & Reiners. N, Informal Human Rights Law-Making: How Treaty Bodies Use 'General Comments' to Develop International Law, **Global Constitutionalism**, 2023, 1-24
- Lincoln. A, *Abraham Lincoln Quotes: Abraham Lincoln, Quotes, Quotations, Famous Quotes*, **CreateSpace Independent Publishing Platform**, 2016
- Linos. K, & Pegram. T, *What Works in Human Rights Institutions*, **American Journal of International Law**, 111(3), 2017, 628–88
- Mbara. C, Gopal. N, Ehiane. S, & Hosea. O, *Re-evaluating the African Union's Ezulwini Consensus in the Reform of the United Nations' Security Council*, **Journal of African Union Studies**, 10(1), 2021, 53–70
- Mike. J, *Re-Evaluating The Relationship Between Patent Rights And Human Rights For The Enhancement Of Access To Essential Medicines*, **African Journal of Law and Human Rights**, 3(2), 2019, 91-99
- Nnamuchi. O, *Kleptocracy and Its Many Faces: The Challenges of Justiciability of the Right to Health Care in Nigeria*, **Journal of African Law. School of Oriental and African Studies**, 52(1), 2008, 1–42
- Murray. D, *Non-State Armed Groups, Detention Authority in Non-International Armed Conflict, and the Coherence of International Law: Searching for a way forward*, **Leiden Journal of International Law**, 2017, 435-438
- Mutiiria. O, Ju. Q, *Sustainable development in Sub-Saharan Africa: The Impact of Infrastructure on Wealth Per Capita*, **International Social Science Journal**, 69: 2020, 1–14

- Mutunga. W, *Human Rights States and Societies: A Reflection from Kenya*, **Human Rights in Africa: Contemporary Debates and Struggles**, 2019, 19-57
- Nyarko. M & Jegede. A, *Human Rights Development in the African Union during 2016*, **African Human Rights Law Journal**, 17 (1), 2017, 294-319
- O’Cinneide. C, *Rights Under Pressure*, **European Human Rights Law Review**, 1, 2017, 43-48
- Okoloise. C, *Circumventing Obstacles to the Implementation of Recommendations by the African Commission on Human and Peoples’ Rights*, **African Human Rights Law Journal**, 18, 2018
- Osborne. T, Brock. S, Chazdon. R, Chomba. S, Garen. E, Gutierrez. V, & Sundberg. J, *The Political Ecology Playbook for Ecosystem Restoration: Principles for Effective, Equitable, and Transformative Landscapes*, **Global Environmental Change**, 70, 102320, 2021
- Possi. A, *It is Better that Ten Guilty Persons Escape than that one Innocent Suffer’: The African Court on Human and Peoples’ Rights and Fair Trial Rights in Tanzania*, **African Human Rights Yearbook**, 2017, 311-332
- Puras. D, *Report of the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health*, **Phil. LJ**, 95, 2022, 274
- Richardson. H, *The Limits of Human Rights Limits*, **American Journal of International Law**, 115(1), 2021, 154-170
- Riedy. C, *Discourse Coalitions for Sustainability Transformations: Common ground and Conflict Beyond Neoliberalism*, **Current Opinion in Environmental Sustainability**, 45, 2020
- Rodrik. D, & Stantcheva. S, *A Policy Matrix for Inclusive Prosperity*, **National Bureau of Economic Research**, (No. w28736), 2021
- Sachs. J, Schmidt-Traub. G, Mazzucato. M, Messner. D, Nakicenovic. N, & Rockström. J, *Six Transformations to achieve the Sustainable Development Goals*, **Nature Sustainability**, 2(9), 2019, 805-814
- Sandra. R, Adolf. H, Karsona. A, & Siswandi. R, *Compatibility of the World Bank's Ease of doing business index with UNGPs on Business and Human Rights*, **Journal of Legal, Ethical and Regulatory Issues**, 24(5), 2021, 2-13
- Sarkin. J, *Reforming the Role of the African Commission on Human and Peoples’ Rights in Advancing Democratic Principles and Human Rights in African Countries: An Examination Using the Lens of Swaziland/eSwatini*. **Policy**, 421, 2019, 445
- Scala. F, *The Gender Dynamics of Interest Group Politics: The Case of the Canadian Menstruators and the Campaign to Eliminate the “Tampon Tax”*, **The Palgrave Handbook of Gender, Sexuality, and Canadian Politics**, 2020, 379-398
- Sparviero S, & Ragnedda M, *Towards Digital Sustainability: The Long Journey to the Sustainable Development Goals 2030*, **Digital Policy, Regulation and Governance**, 23(3), 2021, 216-228

Ssenyonjo. M, *Responding to Human Rights Violations in Africa: Assessing the Role of the African Commission and Court on Human and Peoples' Rights (1987-2018)*, **International Human Rights Law Review**, 7, 2018, 1-10

Vorisek. D, & Yu. S, Understanding the Cost of Achieving the Sustainable Development Goals, **World Bank Policy Research Working Paper**, (9164), 2020

Wattimena. Z, *What are the Fundamental Pillars of Contemporary Globalization*, **ArySuta Centre Series on Strategic Management**, 42, 2018, 1-18

Welch. R, DeMeritt. J, & Conrad. C, *Conceptualizing and Measuring Institutional Variation in National Human Rights Institutions (NHRIs)*, **Journal of Conflict Resolution**, 65(5), 2021, 1010–1033

### Websites

American Declaration of Independence, 1776, Available online: <https://www.archives.gov/founding-docs/declaration-transcript>

American Supreme Court on Natural Rights, Available online: <http://www.nlrac.org/american/u.s.-supreme-court>

Universal Declaration of Rights, Available online: <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

Right to Development Article 22, Available online: <https://www.ohchr.org/en/universal-declaration-of-human-rights>

United Nations Charter, Available online: <https://www.un.org/en/about-us/un-charter/full-text>

UNDRTD, Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-right-development>

Vienna Declaration on Human Right, Available online: <https://www.ohchr.org/en/instruments-mechanisms/instruments/vienna-declaration-and-programme-action>

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**The University Compliance Certification**

This is to certify that this thesis by Adedoyin Adedolapo ADELEKE with Matric No. LCU/PG/002674 in the Department of Politics and International Relations, Faculty of Management and Social Sciences, Lead City University, Ibadan is in full compliance with the approved university.

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**Signature**

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