

## **PROTECTING RIGHTS AND DIGNITY OF PERSONS WITH DISABILITIES IN ANAMBRA STATE, SOUTHEAST NIGERIA: ISSUES AND PROSPECTS**

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### **Abstract**

*Persons with disabilities (PWD) encounter both physical challenges and social constraints like diminished dignity and denial of some fundamental human rights across societies. This review paper frowned at the extent of such problems in the Nigerian environment at large. Specifically, the paper appraised the efforts of Anambra state government, located at southeast of Nigeria, at protecting rights and dignity of PWD between the periods of 2007-2013. The initiatives of the state government were highlighted and commended. Recommendations were also earmarked for further improvements that will give PWD a sense of belonging and motivate them to contribute meaningfully to the development of the state.*

**Keywords:** Ability, Persons with Disabilities, Rights, Dignity, Handicap

### **Introduction**

Persons with disability constitute an important segment of Nigerian society given their numerical strength and distribution across the nation. They could contribute significantly to national development if conducive atmosphere for tapping their energies are in place. However, Nonyelu (2001) observes that government at all levels has failed in the provision of the enabling environment where the rights of citizens (inclusive of those with disabilities) are protected. He argued that without such rights, equalization of opportunities and social justice for all sections of the population will remain elusive in Nigeria. Such has been the plight of persons with disabilities who occupy a disadvantaged position in their social relations with other members of society. They often encounter marked erosion of their rights in a variety of ways.

Although, Nigeria is a signatory to different conventions and treaties that bother on rights, their observance have been significantly in the breach (Nonyelu, 2001). Persons with disabilities are not treated with respect, decorum and dignity. They are stigmatized and discriminated in job placements, political positions and in leadership hierarchy of socio-cultural organizations. Equality of men which biblical teachings and declarations of rights at international and local levels professed, are not truly practiced.

Persons with disability experience discriminatory practices that depict them as second class citizens in educational and other sectors. For instance, our universities are ill-equipped to meet special educational needs of the blind, deaf, dumb, and students with other forms of disabilities. At public institutions like schools, hospitals and banks, their doors, walkways and buildings were not constructed with cognizance of needs of persons with disabilities (like those using wheel chair). It seems a deliberate policy to exclude persons with disability from such institutions is covertly being implemented. This is an infringement of their right to access public services.

The orchestrated economic empowerment and poverty reduction agenda of Nigeria's government have left persons with disabilities at the sidelines. This has negatively affected

their right to a standard of living adequate for health and wellbeing. It is not surprising therefore, that person with disabilities form the bulk of the poor in Nigeria. Poverty further compounds problems encountered by persons with disabilities in safeguarding their rights, to escape from servitude and to participate actively in the cultural life of their community.

Interestingly, there has been increased international concern since late 19<sup>th</sup> century and post World War II era, for protection of the rights of the individual; yet persons with disabilities have continued to experience severe forms of loss of rights and dignity in Nigeria and beyond. The scenario justifies the convening of different types of gathering to sensitize the public on plight of persons with disabilities and to articulate measures to address the situation.

In particular, the 2008 International Day of Persons with Disabilities (PWDs) had the theme 'Convention on the Rights of Persons with Disabilities; Dignity and Justice for all of us'. The year was significant in the Human Right Movement given the coming into force on 3<sup>rd</sup> May 2008, of the convention Rights of Persons with Disabilities (PWDs) and its operational protocol; a legally binding instrument which set out the legal obligations of states to promote the rights of persons with disabilities. The year 2008 was also the 60<sup>th</sup> Anniversary of the Universal Declaration of Human Rights (UDHR). Unfortunately these instruments and programmes were unable to attract the anticipated attention to rights and dignity of persons with disabilities.

#### **Clarification of Key Concepts and Related Terms**

- a) **Disability:** This refers to 'activity limitation'. It is a partial or complete limitation in doing something that is normal for people of one's age, sex and culture (Federal Ministry of Health, FMOH 2004). The World Health Organization (W.H.O, 1980) in her International Classification of Impairments, Disabilities and Handicaps (ICIDH), defines disability as any restriction or lack of ability to perform an activity in the manner or within the range considered normal for human beings. W.H.O contends that disabilities result from impairments.

Examples of disabilities include;

- Difficulty in reading due to poor vision
  - Inability to balance well while walking due to deformed feet.
  - Inability to hold something (say hoe) tightly because of mobile or fixed claw of fingers.
- b) **Impairment:** It is an abnormality of structure or function in any part of the body. According to W.H.O (1980), impairment is any loss or abnormality of psychological, physiological or anatomical structure or function.
- c) **Handicap:** It is a disadvantage for a given individual, resulting from an impairment or disability that limits or prevents the fulfilment of a role.
- d) **Deformity:** It refers to a visually recognized impairment.
- e) **Rights:** In the context of this paper, it refers to human rights. According to Davidson (1993), human rights include rights relating to life, liberty, equality and dignity of individuals embodied in the constitution or in international laws and instruments. Oranye (2001) lists such instruments to include the United Nations Universal Declaration of Human Rights 1948, African Charter on Human and Peoples Rights 1981, and other bills and conventions to which Nigeria is a signatory. Rendel (1997) sees human rights as a means of limiting or controlling the power and authority of the strong over the weak and for limiting excesses of totalitarian governments.
- f) **Dignity:** It refers to the act of relating to people with honour and respect or treating them with immense sense of importance and social value.

### **Causes of Disability**

Disabilities are products of several factors which include diseases, accidents, drug reactions, congenital deformities etc. Leprosy, for instance, produces a lot of impairments and deformities leading to activity limitations (disabilities) among victims. Similarly, diabetes and high blood pressure, if not adequately checked good trigger off partial or complete stroke which limits the activity of the individual. Measles could also cause blindness.

On the other hand, accidents could give rise to paralysis of parts of the body. Some children are born with deformities which impose disabilities from birth. Above all, lack of education on prevention of disabilities for vulnerable groups enhances their chances of actually developing such disabilities.

### **What Rights are Persons with Disabilities Entitled to in Nigeria?**

Persons with disabilities (PWD) are not less human than other members of society. They are therefore entitled to similar rights and privileges with the rest of society. In Nigeria, the Federal Ministry of Women Affairs and Social Development (FMWASD, 1996) outlines these rights as follows:-

- Freedom from cruel, in human, under grading treatment or punishment.
- Right of equal access to public services and social security.
- Right to life, liberty and security of person.
- Right to own property
- Right to work and form and join trade unions, rest and leisure
- Right to education
- Right to a standard of living adequate for health and wellbeing
- Freedom from slavery and servitude
- Right to recognition as a person before the law
- Equal protection before the law
- Right to effective judicial remedy for violations of human rights
- Right to fair trial and public hearing by an independent and impartial tribunal
- Right to be presumed innocent until proved guilty
- Right to freedom of movement and residence
- Right to seek asylum
- Freedom of thought, conscience and religion
- Freedom of opinion and expression
- Right to peaceful assembly and to take part in government
- Right to take part in the cultural life of the community.

### **Appraisal of Response of Anambra State Government, Southeast Nigeria to Protection of Rights and Dignity of Persons with Disabilities, 2007-2013**

According to Uzoezie (2009), the Peter Obi administration had from the outset displayed her resolve to make life more meaningful for all citizens of the state especially the physically challenged, children and the less privileged ones among us. According to her, the governor of Anambra state was the first to ensure the placement of qualified physically challenged civil servants into the director's cadre in their various departments. What a beautiful way to ensure justice and protect the rights of a PWD in Anambra State.

Also, Anambra Integrated Development Strategy (ANIDS) has ensured that a greater attention is given towards empowering and mainstreaming the physically challenged persons into all facets of the State's life; giving unprecedented recognition to the abilities in disabilities. In 2007, the government provided some working tools and assistive devices which included electric grinders, wheel chairs, clutches, blind canes; mobile phones, sewing machines; shoes-making machines and over 50 persons who applied were resettled (Uzoezie,2009).

In 2008, over a hundred PWDs were empowered. The sum of two million the naira grant for 100 skilled disabled persons was also disbursed. The State Government also sponsored a mini special sports festival in the State which helped to hunt for and fish out physically challenged new sporting talents in preparation for the Sports Festival held in Kaduna in February 2009. Funds were made available for the purchasing of some sporting equipments and training of athletes for 2008/2009 National Sports Festival. It is also on record that Njideka Iyazi (a Person with Disability) won two gold medals in Para Olympics in Beijing 2008; all because of enabling environment created by the Government with special attention to persons with disabilities. Two blind persons were sponsored to Farm Craft Centre Ikeja to learn different crafts for self-reliance and sustenance. In a similar show of compassion; some of the executive members of the State Deaf and Dumb Association were sponsored to their national meeting in Kwara state.

The government has annually ensured the celebration of 'International Day for Persons with Disabilities' organized by Anambra State Ministry of Women Affairs and Social Development. The celebration affords the government opportunity to interact with persons with disabilities and to sensitize the public on their plight. The opportunity of the celebration was also used to provide some working tools and assistive devices which included electric grinders, wheel chairs, clutches, blind canes; mobile phones, sewing machines; shoes-making machines to persons with disabilities. The 2013 edition was unique as it witnessed unprecedented turnout of persons with disabilities from all parts of the state who received various forms of support from the state government to meet their needs.

Furthermore, the state government has been consistent in her support to schools that provide educational and special needs of persons with disabilities in Anambra state. Such schools that have benefitted from the support include Gods Care Special School Amenyi- Awka, Special School for the Deaf, Onitsha, and Basden School, Isulo.

On her part, the First Lady of Anambra State, Mrs. Margret Peter-Obi visited the State-owned Vocational Rehabilitation Centre and assisted with the renovation and equipment of the school's kitchen. She also successfully completed her first round of tour of the 177 communities of the state where she empowered many disabled persons in the State. Her second visit to the communities was for monitoring of the proper utilization of disbursed grants and the expansion of the number of beneficiaries and the merits of the project. In 2009, the state first lady set to empower over 1700 PWDs (Uzoezie, 2009). The complementary role of the office of the first lady to the task of economic empowerment and protection of rights and dignity of persons with disability in Anambra state cannot be overemphasized.

The above facts show that Anambra state committed enormous effort within the period to respond to the needs of persons with disabilities. However, there is ample room for improvements. Use of economic empowerment gadgets should be monitored with a view to providing maintenance services, training and other forms of assistance.

Furthermore, there seems to be none existent in the state a surveillance unit to detect and promptly report cases of infringement of rights of persons with disabilities for appropriate

actions. This is important because rights of persons with disabilities could be infringed by individuals, groups, corporate bodies and government. Such surveillance unit will focus on these directions to make her observations and take actions.

### **Recommendations for Protection of Rights and Dignity of Persons with Disabilities**

The responsibility for protection of rights of persons with disabilities is all embracing. It involves several stakeholders such as individuals, government at all levels, organizations (churches, mass media and companies), communities (both local and international) and persons with disabilities etc. The pursuit of protection of rights of persons with disabilities from diverse frontiers will not only speed up their social activation process, but will guarantee integration of energies and resources. All parties must take proactive measures towards protecting such right. Inclinations to passiveness or laissez faire attitude must be jettisoned by all.

The protection of rights and dignity of persons with disabilities should cut-across all manner of rights at community level and beyond. No entitlement in any sector should be denied them on account of their situation.

Government should pursue vigorously through her agencies, the full implementation of all conventions, treaties, declarations or charter on human rights applicable to persons with disabilities.

Public enlightenment campaigns should be undertaken by the mass media, churches and human right groups to educate persons with disabilities about their rights and encourage people to accord them such rights.

Human rights education should be part of the curriculum of schools and colleges of enhance awareness of pupils and students on the subject. Such awareness will stimulate positive responses towards safeguarding the rights and dignity of persons with disabilities.

The criminal justice system should be strengthened to make them respond promptly to cases of violation of rights of persons with disabilities. Quick dispensations of justice will encourage persons with disabilities to take cases of infringement of their rights to appropriate courts. Law enforcement agencies like the police should live-up to their responsibility by investigating and arranging before appropriate courts, cases of human rights abuse and or transfer such cases to other relevant agencies for further action.

The National Human Rights Violation and Investigation Commission (NHRVIC) should be adequately funded. She should establish offices at local government level to reach people at the grass root. At the local government level, she will be best disposed to investigate and take appropriate action about cases of infringement on rights and dignity of persons with disabilities.

Since poverty negatively correlate or affect an individual's ability to enforce or shield his right, economic empowerment of persons with disabilities is strongly recommended. They should be specially considered and brought into the mainstream of economic empowerment or poverty reduction scheme. Persons with disabilities deserve means of livelihood that they could personally sustain with government initial support.

Existing and new human rights groups should rise strongly in condemnation of acts that endanger the rights and dignity of persons with disabilities. They should deepen their commitment and crusade against violations of rights of persons with disabilities.

### **Conclusion**

The protection of rights of persons with disabilities is a task that must involve everybody. Individuals must avoid actions that infringe on the rights and dignity of persons with disabilities. Governments, communities and organizations must ensure that their programmes and activities do not undermine the rights of persons with disabilities. In particular, government must appreciate her obligations and responsibility to persons with disabilities as part of the total population whose needs she must adequately respond to. We are optimistic that if measures outlined in this paper are implemented, individuals with disabilities will attain wholesome personality status and be favourably disposed to contribute meaningfully to national development.

### **References**

- Davidson, S. (1993). *Human Rights*, England: Open University press
- Federal Ministry of Health (2004). *National Tuberculosis and Leprosy Control Programme, Workers Manual 4<sup>th</sup> Edition*.
- Federal Ministry of Women Affairs and Social Development (1996). *Nigerian Women and Human Rights Instructional Manual*.
- Nonyelu, Au (2001). *Human Rights, in* Nonyelu Au (ed.) *Humanities and National Development*, Enugu: NGIB Publishers Ltd.
- Oranye, N.O. (2001). Rights and Health of the Nigeria Child in the 21<sup>st</sup> Century, *International Journal of Social Inquiry, Vol. 1. No. 1*.
- Rendel, M. (1997). *Whose Human Rights?* London: Trenam Books.
- World Health Organization (1980). *International Classification of Impairments, Disabilities and handicaps*, Geneva
- Uzoemie, C.E. (2009). *A Welcome Address Presented on the Occasion of Celebration of International Day of Persons with Disabilities in Anambra State held at Women Development Center, Awka, 30th June, 2009*.