

Human Rights, Language Use and Societal Abuse in Cross River State, Nigeria

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Abstract

This paper focuses on human rights violation, societal abuse and the language used in perpetrating these vices in Cross River State, Nigeria. Human rights in the state are particularly violated through child-trafficking, child-abuse, spousal rights and rights in the work-place. Child-trafficking is rampant in certain Local Government Areas (LGA) of the state, such as Yakurr and Calabar South. Although this is also a form of child-abuse it was discovered that the latter is highlighted in the home where children are used for labour and invariably denied access to education. Spousal rights are also reflected in the home where the wife is subjected to a 'policy' of lack of freedom to a job, further education etc by her husband. It was also observed that corruption was a harbinger of human rights violation, particularly in the civil service. Language use in persuasion and coercion play an important role in how successful these violations are carried out. However, government through its agencies, such as the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) has been active to some extent in curbing these violations. It is hoped that this paper, will help to galvanize further action and interactions on the subject of human rights in Cross River State in particular and Nigeria in general.

Keywords: Cross River State, human rights, child abuse, child trafficking, corruption and language use.

1. Introduction

The issue of human rights violation is a global phenomenon. So widespread is the phenomenon that there are many international and domestic organizations battling to curb the incidence. Human rights violations range from women abuse, child abuse, modern day slavery, trafficking in persons, gender inequality and so on. We shall examine human rights issues, societal abuse and the language used to achieve this purpose with our focus on Cross River State. Cross River State is located within the South-South geo-political, zone of Nigeria. This is one of six zones in the country. The zone occupies the South eastern belt of the country and is made up of six states (Akwa Ibom, Bayelas, Cross River, Delta, Edo and Rivers). These six states are further sub-divided into one hundred and twenty-three (123) Local Government Areas. Cross River State is divided into 18 Local Government Areas, with about 37 languages spoken in the state (Udoh 2003). The major state languages are Efik, Bekwarra and Ejagham. Other languages spoken include standard English (SE) and its variant of Nigerian English and the Nigerian Pidgin (NP). The state has a population of roughly 2.8 million (Webmaster 2006). The Cross River State covers an area totaling 21, 481 square kilometers. Historically, the state was one of Nigeria's earliest ports which began even before the colonial period Calabar, its capital, was the first capital of Nigeria (Peters 2000: 123).

2. Theoretical Frame Work and Methodology

Although ideas of rights and liberty have existed in some form for much of human history, they do not resemble the modern conception of human rights. The modern sense of human rights can be traced to Renaissance Europe and the protestant Reformation.

One theory is that human rights were developed, according to Freeman (2002), during the early modern period alongside the European secularization of Judeo-Christian ethics. The most commonly held view is that the concept of human rights evolved in the west, and that while earlier cultures had important ethical concepts, they generally lacked a concept of human rights. For example, MacIntyre (1981) argues that there is no word for "right" in any language before

1400.

Human rights are almost a form of religion; the great ethnical yardstick that is used to measure a government's treatment of its people (Wikipedia 2013). Heard (1997) says they are universal since they are said to belong to all humans in every society. Modern theorists have developed a notion of natural rights that does not draw its source or inspiration from a divine ordering. The ground work for this secular natural trend was laid by Paine (1985) and Rousseau (1969) as cited by Heard (1997).

Contemporary notions of human rights draws very deeply from this natural rights tradition. In a further development of this, human rights are now often viewed as arising essentially from the nature of human kind itself. In Rousseau's image of civil society, rights do not exist independently of human endeavor; they can only be created by human action. Human right is also seen as a western creation – a vehicle for the values of western liberalism. Therefore, it cannot be universal. According to O'manique (1992) human rights should be founded upon something inherent to humans rather than being created by human action. Donnelly (2003) on the other hand argues that human rights are properly held by only individuals, and are compatible with a conception of human rights as universal rights.

Since the "order of tyranny", which informed the dictatorship of the Nazi regime, ignored the natural rights of human beings and the sovereign status of nations, the emerging international socio-political order after world war II sought to re-affirm the fundamental rights of all men and women. This vision developed into concrete reality with the publication of the U.N's 'four freedoms' including freedom of speech, freedom of worship, freedom from want and freedom from fear. These cardinal issues as Langley (1988: 1-76) observes were used to project "certain moral and legal entitlements we have all come to call human rights."

Primary sources of data for this work were obtained through direct interaction with victims of Human Rights abuse in Cross River State safe houses and NAPTIP offices in the State, and the National Human Rights Commission (NHRC) in Abuja. Secondary sources have also been used as necessary.

3. Child Abuse in Cross River State

Child abuse in Cross River State takes different forms and these play out according to whatever form is being meted out to the child. They include child labour, child trafficking, child sexual abuse and child abuse from cultural and customary beliefs.

3.1 Child labour and child trafficking

Child labour refers to the employment of children in any work that deprives them of their childhood, interferes with their ability to attend regular school or is mentally, physically, socially or morally dangerous and harmful. This practice is considered a form of exploitation by many international organizations (UN Report 2013). According to crime watch (2013), the recruitment, transportation, transfer, harbouring or receipt of children for the purpose of exploitation is child trafficking. Children are trafficked for commercial, sexual exploitation, bounded labour, camel jockeying, child domestic labour, drug couriership, child soldiering, illegal adoption and begging (Wikipedia 2013). In Cross River state male children and young ladies are commonly trafficked from across the rural areas to urban cities and subjected to specific conditions of forced labour and involuntary prostitution respectively.

Child labour takes the form of hawking where children hawk for their relatives that they are living with. In most cases, education is forbidden if the child does not make daily returns of a particular or fixed amount. This is very common all over the State in the LGAs. Children are also employed as house-helpers where they do all household chores including looking after the children of the employer. Such children are most often given out by their poor parents so that the parents get paid for the labour done by the child. Again this often leads to lack of education. Even if the child goes to school, he way miss many hours, being perpetually late to school until he drops out

Child abuse can also be sexual, physical or emotional maltreatment or neglect of the child. Physical abuse involves physical aggression directed at the child by step-parents, aunts, uncles. This is known as the Cinderella effect.

In Cross River State, child trafficking involves dubious means of coercing a child away from the parents in the rural community with promises of well-paid services (this may take the form of labour or prostitution) or schooling for the child which invariably favours the parents. This is very common in Yakurr, Calabar South and Odupkani local government areas of the state.

Nigeria's 2003 Child Right Act criminalizes child trafficking though only 23, including Cross River state, of the country's 36 states including the Federal Capital territory have enacted it. According to the Nigerian constitution, laws pertaining to children's rights falls under State preview, therefore the Child Rights Act must be adopted by individual state

legislature in order to be fully implemented in the country.

According to Crime World (2013) trafficking in persons in Nigeria is not just poverty driven by socio-economic factors, but is also sustained by the push and pull factors as human trafficking is the third most profitable business in the world coming in immediately after drugs and arms running. The push factor is as a result of poverty arising from socio-economic factors such as broken homes, polygamous homes, too many children with a low income. Such families are vulnerable to human traffickers who promise good jobs and schooling for one or two of the many children.

The pull factor on the other hand has to do with ignorance, illiteracy and the get-rich quick syndrome on the minds of Nigerian youths.

3.2 *Child sexual abuse*

Child sexual abuse (CSA) is a form of child abuse in which an adult or older adolescent abuses a child for sexual stimulation. Sexual abuse refers to the participation of a child in a sexual act aimed toward the physical gratification or the financial profile of the person committing the act. The child is often coerced, threatened or cajoled into the act. Forms of CSA include asking or pressuring a child to engage in sexual activities, indecent exposure of the genitals of a child and actual sexual contact with a child. This is common when a child goes to live and work for relatives.

3.3 *Child abuse from cultural and customary beliefs.*

A 2010 article in the BBC, reports that thousands of African children have been abandoned, tortured and murdered because they are believed to be witches. This is particularly so in Cross River State. Churches are often at the root of children being singled out as causes of their parents' misfortune and thus suffer dehumanizing and physical abuse and even ostracization by the community and family members. This situation is even worse in neighbouring Akwa Ibom State. In Cross River and Akwa Ibom State over 15,000 children are branded as witches and Wizards, (Wikipedia 2013).

Another practice borne out of culture is that of female genital mutilation This is done primarily to control the women's sexuality. Unfortunately, the practice is carried out by fellow women as part of the "culture". This culture or practice has the adverse effect of posing as a risk during childbirth as the women may suffer from a major tear which will need surgery and if not properly handled could lead to vesico vaginal fistula(VVF).

Female genital mutilation is defined by the World Health Organization as:

*...all procedures that involve partial or total removal of the external female genitalia, or other injury to the female genital organs for non-medical reasons.
WHO 2014*

This phenomenon is common in southern Nigeria and in Cross River State in particular. It is normally performed on the girl-child before she attains the age of 12. Closely related are the challenges the girl child faces such as inadequate food and medical care, physical abuse, forced sex, including incest, discrimination in access to education which leads to low self-worth and self-esteem later among such women. The girl-child grows into the woman who is only able to pass on traditions without challenging them, even when she knows they are harmful and worthless simply because she is ignorant of her rights.

4. **Societal Abuse and Violence in Cross River State**

In Cross River State societal abuse involves the issue of corruption which is not peculiar to the state only but also Nigeria in general. Societal abuse also includes other issues such as harmful traditional practices like polygamy, widowhood rights, domestic violence e.t.c. Violence in the society is most prevalent against women and children.

4.1 *Corruption in the society.*

Corruption is a factor behind human rights in Nigeria as it renders people poor and in an attempt to seek for greener pastures most people (usually adolescents and young ladies) end up being trafficked for prostitution or child labour. Some writers have posited about the different potential causes of flagrant and penurious graft that exist in Nigeria. Many blame greed and ostentatious lifestyle as a potential root cause of corruption.

The customs and attitudes of the society may also be a contributing factor. Gift giving as expressions of loyalty or

tributes to traditional rulers are part of the fabrics of the society.

Another major cause of corruption is ethnicity. Friends and kinsmen seeking favour from an official may impose difficult strains on the ethical disposition of the official. Many kinsmen may see government officials as holding necessary avenues for their personal survival or gain. This is particularly prevalent in Cross River state which is seen as a 'civil service state' with many depending on the monthly income paid out by government to civil and public servants.

According to Oyinola (2011) low wages in the civil services prompt public officials to use their positions to collect bribes as a way of making ends meet. Price control, government subsidies, trade restrictions are other causes of corruption.

Pervasive corruption has also been blamed on colonialism. According to this view, the nation's colonial history may have restricted any early influence in an ethical revolution. Throughout the colonial period, most Nigerians were stuck in ignorance and poverty. The trappings of flashy cars, houses and success of the colonists may have influenced the poor to see the colonists as symbols of success and to emulate the colonists in different political ways.

Petty corruption is reportedly widespread and surveys indicate that it is very hard to do business in Nigeria without having to pay facilitation payments to public officials. Since the creation of modern public administration in the country, there have been cases of official misuse of resources for personal enrichment. Nigeria is ranked 139th out of 176 countries in Transparency International's 2012 corruption perception index tied with Azerbaijan, Kenya, Nepal and Pakistan (BBCnews 2013).

4.2 Violence against women

The United Nations General Assembly (1993) defines "violence against women" as:-

...any act of gender-based violence that results in, or is likely to result in, physical, sexual or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.

In Cross River State, violence and abuse of women usually takes the form of denial of certain privileges by the spouse such as further education or even simply seeking employment. Women are not allowed to get a pass port in Cross River State and Nigeria in general without the written permission of the husband. Other forms include physical and sexual abuse. Physical abuse entails constant beating and striking by the spouse. In Nigeria, the society does not recognize spousal rape, as the wife inherently 'belongs' to the husband and he can therefore 'have his way' with her at anytime. Secondly, disproportionate emphasis on marriage as the only acceptable status for a woman is widespread. This puts enormous psychological pressure on women. Consequently, not being married becomes a stigma which most women become desperate to escape from as they get older. Indeed an unmarried mother, a divorcee or spinster is an aberration (Ojiakor 1997)

Another issue is one of child marriage in the society. Although this is not so common in southern Nigeria, there are pockets of the incidence in Cross River State. Child marriage is a reflection of society's emphases on the "virginity for women at marriage" syndrome in which little girls are married off to men old enough to be their fathers.

Polygamy also subjects women to harrowing psychological trauma and often brings out the worst in their character in the face of vicious competition that characterizes most polygamous households.

Other issues come up from the prevalent culture which sees the women as inferior. Women are therefore conditioned to believe that they are inferior objects in comparison to their male counter parts and are easily swayed to accept many harmful practices such as domestic violence, marital rape, male child preference, harmful widowhood rights / rituals, commercial sexual exploitation, trafficking in women and girls etc.

4.3 Violence against men

There are no overt cases of violence against men by women in Cross River State. This is because even if it does happen, it is likely to be kept quiet so that society will not label such a man "woman wrapper" a term that implies that the man is thoroughly controlled by a woman. According to Harvey and Gow (1994), a 1992 report says significantly more men than women do not disclose the identity of their attacker.

Domestic violence against men refer to abuse against men or boys in an intimate relationship such as marriage, cohabitation, dating or within a family.

Violence against men is mostly carried out in Cross River State by the State through the police and soldiers. The

police often carry out extra-judicial killing of both innocent and guilty citizens, while the soldiers brutalize anyone who is deemed to have offended one of their own in a setting typical of Nigeria's military era. Men are also brutalized and traumatized in cases where jungle justice is carried out on citizens by mobs who suspect them of robbery. This has resulted in many killings. It is common in big cities such as Lagos, Port-Harcourt, Kano etc. A case in point is the *Aluu 4 killings* of 2012 where male students of the University of Port Harcourt were set ablaze in a neighbouring suburb, accused of committing armed robbery (Nigeria news, 2012).

5. Language Use in Human Rights Violation

Language is communication and plays an important role in human rights violation in Cross River State. This can be viewed from the language used to persuade, coerce and propagate such vices.

First of all, the choice of language used to perpetuate these crimes are very telling in a multilingual state like the Cross River State. A trafficker can easily succeed if he identifies with his victim through the use of language by speaking to the victim in the latter's own language, his MT/LI or the language of the immediate community LIC. This immediately creates a false atmosphere of security and intimacy under the misguided premise that one of your own is not likely to hurt you as the use of the same language also creates this feeling of kinship. The use of the mother tongue of the victim is therefore a strong point in favour of the trafficker. The same scenario plays out when a child is taken for child labour to a home where his mother tongue is spoken even if the people are not his relations.

If the traffickers cannot speak the victim's language they immediately resort to Nigerian Pidgin (NP) which is also an intimate language as it places the victim and the trafficker as belonging to the same social class. This makes the victim to feel at ease.

However, this does not mean that using Standard English (SE) necessarily would be a draw-back. The use of SE implies the seriousness of the situation, and hints at how fluent the victim too could become in English if he follows the trafficker.

5.1 The language of persuasion

The speech to convince and persuade is defined as one that seeks to alter the listener's belief on subjects where action is not requested, or in most cases, even possible (Ashipu 1997). The speech to persuade, like the speech to convince aims at changing the listener's convictions but the speaker requires the audience to go a step beyond simply seeking agreement, to explicitly or implicitly urging the listener to pursue a course of action in accordance with the speaker's beliefs. Brembeck (1969) as cited by Ekpe(1997) describes persuasion as a conscious attempt to modify the thoughts and actions by manipulating the motive of the audience towards a predetermined end. If the persuasive speaker fails to motivate at least some of his listener's act in the way he wishes, he cannot regard his speech as wholly successful. To be completely successful in realizing this goal, the speaker must somehow motivate the listener to perform the action desired. According to Ekpe (1997) therefore, the resultant substance of the speech to persuade is action.

The speaker may also engage the use of a number of signposts which although they serve as transitional devices, have far more advantage in identifying where the speaker has introduced a new point. Usually they are in the form of numbers to emphasize his argument –*first, my second point is, the fourth step is* etc. From the traffickers we have speeches such as in (1a).

1a) *...firstly, I will take you to Calabar (the state capital) where I can lay hands on some money to get you some new clothes, shoes... we don't want you arriving in Lagos like this. After that, you will spend some days at my house to get acquainted with Lagos before I take you to my rich friends who want to take you abroad...*

Source: Oral interview with Charlie and Patience Offor parents of a victim in Ekorri, Yakurr LGA. Cross River State, June 2013.

Such a ploy, serves to rekindle the listener's interest. Unlike the transitional devices, signposts indicate exactly where the speaker is at a given point in his speech. The speaker may also use short anecdotes about particular events or incidents with an amusing or interesting nature. Again, people listen to what affects their lives so the victim may be confronted by a trafficker who praises him, wishing him well, sighing over the child's pitiful state and how things could be better if only the child would trust him or her. This is accompanied by the use of the victim's MT/LI or the language of the immediate environment (LIE). To use the MT/LI is half the job done because this instills confidence and intimacy between the speaker and his victim. The speaker is viewed as "one of us". His speech is well balanced as he devotes equal time

on the arguments he presents to his unsuspecting victim.

5.2 The language of propaganda

This is closely linked to the language of persuasion. The word propaganda itself used to be a respectable term, originally meaning the spreading of good news. Today, propaganda is associated with the insidious and subversive means of moving a person to pre-determined ends. Synonyms for propaganda according to Collins English Thesaurus (2013) include words like information, advertising, hype, dis-information. Longmans (1995) adds others such as indoctrination, spin, language of conviction or prejudice, manipulation of emotions. Propaganda is mostly associated with politics or government to disseminate faulty or partly false information (Longman Dictionary 1995). Propaganda-like methods are used by traffickers to persuade young girls into prostitution and young boys into forced labour. Other synonyms for propaganda include manipulation of emotion or opinion, dis-information reflected in the act of deliberately keeping information from the person to be trafficked such as lying about where they are taking the person to.

Logical fallacies are also used in propaganda such as:-

- 2a) *If you leave this your poor home in the village, you can get rich in the city.*
Source: *Victims in a safe house in Akpabuyo Local Government Area.*

According to Wikipedia (2013) the defunct institute for Propaganda analysis IPA (1938) listed seven techniques for propaganda. Some of them are adhered to by the traffickers. Fallacies are defects in an argument that cause it to be invalid, unsound or weak. In a deductive argument the existence of a fallacy means that the argument is not valid even if the premises are true, the conclusion might still be false. Logical fallacies use arguments that while sounding convincing are not necessarily valid. The trafficker may use the bandwagon argument "everybody is moving to the city now", hinting at the success of others in the city. Bandwagon is an appeal to the subject to join in because others are doing so well.

Propagandists use ordinary language and mannerisms and use a face-to-face approach. Sometimes they use the approach of demonizing the opposition.

- 3a) *...do not listen to your uncle, you know he never had such an opportunity so he's envious.*

They create euphoria by offering gifts such as transistor radios to the parents of their victims.
They use glittering generalities which are emotionally appealing.

- 4a) *You can get rich quick in Lagos/ Abuja.*
b) *Europe is where you will fulfill all your dreams*
c) *Neither your parents nor siblings will suffer again.*
Source: *Victims from Ekor, Yakurr Local Government Area, Cross River State September, 2013.*

These generalities are also vague. The intent is to get the listener to draw his own interpretations.

Euphemisms may be used such as 'wonder city' for 'Lagos' he may constantly repeat this euphemism as repetition is one of his tools at hand. The traffickers often come with an associate who testifies to having once been as poor as the victim but is now well-to-do.

5.3 The language of coercion

The language of coercion is used particularly in child abuse cases. It is full of threats and innuendoes. The child will not go to school any day he does not finish selling his wares or doing his chores. He is often registered in the afternoon section of the school which starts at approximately 2 pm. Before then he must have completed all his house-hold chores, and his hawking. Failure to do this results in threats and coercions.

- 5a) *It seems you are not keen on going to school today,*
b) *Is this how we will pay your fees and buy you a uniform?*
c) *You know very well that if you do not sell all the bananas, there will be no food for you today.*
Source: *Hawkers in Calabar South Local government area, October, 2013.*

Traffickers trying to get their victims to cities where they are to reside with a 'madam' and prostitute for her, are often at the receiving end of threats.

- 6a) *Is this how you will pay me back for bringing you to the city?*
b) *I will soon throw you out if you do not obey me.*
Source: *Female adolescent at a safe house in Akpabuyo, September, 2013.*

6. Protection of Human Rights

In Nigeria, there are agencies that work hand in hand for the protection of human rights. These include the national agency for the protection of persons and other related matters (NAPTIP), civil society groups and these collaborate with international organizations such as UN agencies and the international labour organization ILO.

6.1 Domestic protection of human rights

The national agency for the prohibition of trafficking in persons and other related matters (NAPTIP) sees to the prevention of trafficking generally of Nigerians and particularly of children and women outside and within the country.

NAPTIP goes on enlightenment and sensitization programmes to educate the public on the ills of human trafficking, do advocacy visits, visits to schools, churches, mosques.

NAPTIP works with the international labour organization ILO for the removal of children in the worse form of labour, such as in quarries, street hawking and strenuous domestic chores. It is therefore impertinent to work with other agencies to protect victims and their families from attack. Each of the six zones in Nigeria has shelters for retrieved children, with counsellors for psycho-social counseling. For instance, a girl sworn to secrecy that involves removal of certain parts of her body for oath taking and who believes in this, needs to be counselled (Crime world 2013). The agency trains children in vocational skills and helps in tracing their families. The department also investigates and prosecutes traffickers. In order to combat external trafficking where national boundaries are crossed NAPTIP forms collaboration with other community based organizations such as civil agencies, international organizations, governments of various countries and the press.

According to Heyns and Killander (2006) all the constitutions of African countries now recognize human rights, in one way or another. This recognition ranges from the inclusion of extensive bills of rights that are fully justifiable by independent courts to the mere recognition of human rights in the preamble of the constitution. In addition to the important role played by parliaments, the courts and the executives of African countries in the field of human rights, a number of other emerging role players may be identified in the domestic arena.

There are national human rights institutions across 30 countries in Africa including Nigeria called *Human Rights Commission* created over the last 18 years. Most are working effectively, though they lack resources, have limited independence and influence (Heyns & Killander 2006).

Civil society organizations including the church, trade unions, human rights NGOs and educational institutions such as universities interact with the Human Rights Commission in the pursuit of the protection of human rights in Nigeria.

6.2 International protection of human rights

The international protection of human rights on the African continent and Nigeria in particular has a number of dimensions. UN agencies provide relief work, technical assistance and a number of other functions. The UN High Commissioner for Human rights has established offices in a number of African countries, including Nigeria. The Convention for the Elimination of All Forms of Discrimination against Women (CEDAW) an international document that establishes standards of equality between men and women is also in place in most African nations (Emory 2005).

6.3 The way forward

Human rights issues in Cross River State could be prevented through the following policies

- * Abrogation of obnoxious laws and tradition that dehumanize women and stronger legislation against acts of violence against women including harmful widowhood rights and marital rape.
- * Poverty reduction through programmes that involve both men and women at all levels of their design, implementation and evaluation.
- * A complete eradication of corruption at all levels in Nigeria and Cross River State in particular.
- * Abrogation of child labour in the state and Nigeria at large.
- * Training of policy makers and staff on gender issues

- * Compulsory rights act by all States in the federation including Cross River State.
- * The judiciary should handle cases of extra judicial killings by the police, the army and the public with urgency.

7. Conclusion

In the course of this work, it has been discovered that human rights issues and societal abuse in Cross River State are centered mostly on women and children. This is typical of a society like Nigeria in general and Cross River State in particular where cultural and customary values are still upheld very strongly. These issues impede the growth of individuals, the development of the country and the evolution of the society. With this, Cross River State will benefit from increased productivity, assured development and peace in the state. For if the women are not discriminated against, the child too will thrive in an environment where there is no need for that child to be trafficked out for child labour. A corrupt free Nigeria will ensure equality in economic status and put a curb to all such nefarious activities. It was also observed that language plays an important role in the enforcement of these activities not just in terms of the particular language used but also the method of its delivery. Again, this will not be necessary if there is equity in the society.

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