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Assessing the Impact of Flooding on Food Security in Ahoada East/Ahoada West Government Area of Rivers State, Nigeria

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doi:10.56397/JRSSH.2025.07.01

Abstract

This study investigates the impact of flooding on food security and agricultural livelihoods in Ahoada East and Ahoada West Local Government Areas (LGAs) of Rivers State, Nigeria. Employing a mixed-methods approach, data was collected through structured questionnaires administered to 400 farming households (200 per LGA) and analyzed using descriptive statistics. The findings reveal that flooding significantly reduces crop yields, disrupts livestock farming, hinders market access, and exacerbates food shortages, thereby undermining the livelihoods of agrarian communities. The interview data indicated that farmers face challenges related to increased livestock diseases, contamination of feed and water, and high transportation costs due to damaged infrastructure. Additionally, the study reveals limited access to effective coping strategies and widespread dissatisfaction with institutional support and government assistance. These results underscore the urgent need for integrated flood management strategies that encompass infrastructural development, agricultural adaptation, enhanced early warning systems, and strengthened social protection mechanisms. Implementing these recommendations requires coordinated efforts among government agencies, NGOs, and local communities to build resilience and ensure sustainable food security in the flood-prone areas of Ahoada East and Ahoada West. The study concludes by advocating for holistic, multi-sectorial approaches that integrate climate adaptation, sustainable agriculture, and robust governance to safeguard the well-being of farming communities in the Niger Delta.

Keywords: flooding, food security, livelihoods, agriculture, Ahoada East, Ahoada West, disaster management

Introduction

In Nigeria, flooding has become a persistent environmental problem with significant effects

on food security and the standard of living for both rural and urban populations. Because of their position, high rainfall patterns, and closeness to important river systems, Rivers State's Ahoada East and Ahoada West Local Government Areas (LGAs) are especially susceptible to frequent flood disasters (Olunwa & Lawal, 2021). Flooding in these places has a significant influence on household food access, food supply systems, and agricultural output in addition to disrupting the environment (Kwararafa Security Review, 2024). Because Nigeria depends so heavily on agriculture, floods frequently result in lower crop yields, the loss of arable land, and the destruction of food supplies that have been stored, further impoverishing vulnerable populations (Food and Agriculture Organisation [FAO], 2024).

One of the most destructive natural disasters impacting Nigeria's food security is flooding, especially in the Niger Delta, which is home to the Ahoada East and Ahoada West Local Government Areas. Examining the conceptual frameworks, theoretical foundations, and empirical data associated with this important topic, this review looks at the connection between flooding and food security.

According to recent estimates, floods have devastated more than 558,000 hectares of crops across the country, endangering 31.8 million Nigerians' ability to eat (FAO, 2024). 70% of farmlands in Ahoada West were impacted by the 2012 flood disaster, which disrupted the supply of staple foods and caused acute food shortages for 73.8% of families (Olunwa & Lawal, 2021). Similar trends are seen in Ahoada East, where food insecurity is made worse by animal diseases, decaying cassava tubers, and early harvests (Nwankwo et al., 2021). Communities become unprepared for frequent disasters as a result of these effects, which are exacerbated by inadequate drainage systems, poor waste management, and a lack of early warning systems (Adaku et al., 2019).

The effects of flooding on society and the economy are equally dire. Food costs rise and access to nutrient-dense food is restricted due to damage to market enclosures, storage facilities, and transportation networks, which disproportionately affects low-income households, pregnant women, and children (Ogunbameru & Okeowo, 2019). People who have been displaced frequently depend on insufficient government support, which

exacerbates poverty and malnutrition (International Journal of Integrative Sciences, 2024). Although still common, traditional coping mechanisms like sandbagging and elevated architecture are insufficient to withstand increasingly severe floods brought on by climate change (Academia.edu, 2020).

To overcome these obstacles, a multifaceted strategy is needed. To reduce hazards, it is essential to use climate-resilient farming methods, better land use planning, and strong disaster response systems (Chiemela et al., 2024). While moving high-risk neighbourhoods and enforcing zoning regulations may lessen exposure, improved infrastructure, community education, and institutional cooperation can increase resilience (Global Scientific Journal, 2019). Using contemporary empirical data to guide policy and adaptation measures, this conference essay evaluates the relationship between floods and food security in Ahoada East and Ahoada West.

Impact of Flooding on Farmers

Impact of Flooding on the Livelihoods of Farming Households in Ahoada East and Ahoada West.

Flooding has had profound and multifaceted effects on the livelihoods of farming households in Ahoada East and Ahoada West Local Government Areas of Rivers State, Nigeria.

Destruction of Farmlands and Crop Losses

Over 70% of the farmlands in the study areas were submerged by flood events, especially the large flood in 2012, which resulted in extensive crop devastation and a sharp decline in agricultural production. Significant post-harvest losses and the rotting of tubers before maturity resulted from many farmers being compelled to harvest crops like cassava and yams too soon, frequently while standing in knee-deep water (Tunde, 2011; Ogunbameru & Okeowo, 2019). In addition to reducing immediate food supply, crop loss also made it more difficult for households to make money from excess sales (Tunde, 2011; Eze & Nwankwo, 2020).

Farmers' livelihoods in Ahoada East and Ahoada West have been severely disrupted by flooding, leading to numerous socioeconomic and food security issues. Floodwaters have destroyed farmlands and crops, resulting in lower agricultural output and productivity. This has increased food insecurity and reduced the

region's availability of food goods (Tunde, 2011). The resilience of rural economies has been further weakened by floods, which have also resulted in the loss of cash crops, the deterioration of agricultural land, and the spread of illnesses and pests (Eze & Nwankwo, 2020).

Livestock and Fisheries Disruption

Fisheries and cattle were also impacted by floodwaters. As the nutritional value of the available feed decreased, livestock experienced a rise in disease incidence, including foot rot in other animals and brooder pneumonia in poultry. As floodwaters merged with rivers, fishermen encountered difficulties that made fishing more challenging and further reduced the amount of protein available for the local diet (Eze & Nwankwo, 2020; Ogunbameru & Okeowo, 2019).

Home and Asset Loss

Numerous farming households were forced to seek refuge in makeshift camps with subpar amenities after flooding destroyed their homes and belongings. Farmhouses and storage facilities were also destroyed, which led to the loss of stored produce and necessary farming equipment (Adaku, Oduduabasi, & Francis, 2019; Ogunbameru & Okeowo, 2019).

Disruption of Livelihoods and Food Security

Farming is the main—and frequently only—source of income for the majority of impacted families. For months, flooding prevented agricultural operations, depriving households of their income and food supplies. Many were unable to immediately return to farming after floodwaters subsided because of the substantial damage to infrastructure and land, which resulted in protracted periods of food scarcity and financial hardship (Tunde, 2011; Ogunbameru & Okeowo, 2019).

Socioeconomic Repercussions

Severe food shortages, greater poverty, and increased vulnerability among rural communities were the results of these disturbances taken together. Following flood occurrences, a significant drop in household welfare and extreme food insecurity were reported by several participants in local research (Tunde, 2011; Adaku, Oduduabasi, & Francis, 2019). Food shortages in neighbouring urban centres were also a result of the suffering, which went beyond rural areas (Ogunbameru &

Okeowo, 2019).

Psychological Impacts

The psychological and social impacts are equally significant. Many farming households experience heightened stress and uncertainty due to the loss of their primary source of livelihood and the slow pace of recovery (Onuoha, 2022). The absence of effective early warning systems and limited government support further compound these challenges, leaving communities ill-prepared to cope with recurrent flood events (Uchegbu, 2021).

The Difficulties of Coping and Recovery

Flood victims in Ahoada East and West frequently lacked proper disaster preparedness and early warnings, which made losses worse. Authorities' tardy and inadequate response made recovery efforts even more difficult, depriving many households of the assistance they required to resume their livelihoods (Tunde, 2011; Eze & Nwankwo, 2020).

Generally speaking, flooding in Ahoada East and Ahoada West has resulted in agricultural destruction, animal and crop losses, household displacement, and a sharp drop in the economic stability and food security of farming communities. Long-term and short-term effects are present, impacting rural populations' general resilience and wellbeing in addition to their capacity to produce food (Tunde, 2011; Eze & Nwankwo, 2020; Ogunbameru & Okeowo, 2019; Oduduabasi, Adaku, & Francis, 2019).

Flooding also causes post-harvest losses and lower farmer revenue by impeding access to transportation networks, which upsets local markets (Adaku, Oduduabasi, & Francis, 2019). While the lack of staple foods raises prices and increases malnutrition among impacted populations, the inability to transport and sell crops causes economic hardship (Akinbile, 2019).

More resilient adaptation techniques are required because traditional coping strategies, such as erecting raised structures and using sandbags, have not been able to keep up with the growing severity of floods (Adaku et al., 2019). These disruptions have led to a continuous threat to food security in Ahoada East and West, deterioration in household welfare, and an increase in poverty (Ishaya & Abaje, 2008).

Understanding Food Security in Flood-Prone

Areas

According to Olunwa and Lawal (2021), there are four essential components of food security: availability, access, utilisation, and stability. Flooding sometimes compromises these dimensions in flood-prone places such as Ahoada East and West. Food availability is immediately affected by the loss of crops and farmlands, and access is impeded by market disruptions and destroyed transportation infrastructure. Food use is negatively impacted by tainted water supplies and rising rates of illness, and stability is threatened by the frequency of floods.

Flood Vulnerability and Resilience

In agricultural communities, exposure, sensitivity, and adaptation capability are considered to be factors that determine vulnerability to floods (Nwankwo et al., 2021). Ahoada East and West farming households are particularly vulnerable because of their close proximity to bodies of water, their reliance on rain-fed agriculture, and their limited ability to adapt as a result of socioeconomic limitations and a lack of institutional support.

Sustainable Livelihoods Approach

A useful framework for comprehending the effects of flooding on agricultural households in Ahoada East and West is offered by the Sustainable Livelihoods Approach. This strategy acknowledges that livelihoods are sustainable when they can withstand and bounce back from shocks and strains without compromising natural resources. Livelihoods are defined as the skills, resources, and activities necessary for survival (Ogunbameru & Okeowo, 2019). Farming households rely on five capital assets: financial, natural, social, and human. Flooding is a major shock that depletes these assets.

Climate Change Adaptation Theory

According to Adaku et al. (2019), the Climate Change Adaptation Theory highlights the necessity for systems to adapt to real or anticipated climate stimuli and their consequences. This idea aids in explaining the different adaptation tactics used by farming households in Ahoada East and West to lessen the effects of flooding, including shifting planting dates, implementing crop types resistant to flooding, and adding different sources of income.

Extent and Severity of Flood Impacts

The detrimental effects of floods on Ahoada West's food security have been shown by empirical research. According to research by Olunwa and Lawal (2021), 73.8% of respondents said that there were significant food shortages as a result of the 2012 flood, which damaged over 70% of the region's farmlands and crop production. This result emphasises how serious the issue is and how it affects access to and availability of food.

Socioeconomic Consequences

Flooding has socioeconomic repercussions that go beyond short-term agricultural losses. According to research done in the Niger Delta, floods raise food costs, lower household incomes, and increase the risk of malnutrition (Ogunbameru & Okeowo, 2019). These effects were made worse in Ahoada West by the delayed and insufficient response to flooding, since flood victims frequently lacked timely warnings and were ill-prepared for emergencies.

Coping Strategies and Adaptation Mechanisms

Farming families in flood-prone regions have adapted a number of coping mechanisms to lessen the effects of flooding on their means of subsistence. According to Adaku et al. (2019), these include the building of higher storage facilities, early crop harvesting, temporary migration, and income source diversification. Nevertheless, resource limitations and the growing frequency and severity of flood disasters frequently restrict the efficacy of these tactics.

Institutional Response and Support Systems

Several studies have looked at the role of institutions in resolving food insecurity caused by floods. The necessity of government action in moving flood-affected populations and putting awareness campaigns into place was emphasised by research conducted in Kogi State, Nigeria (Academia.edu, 2024). Likewise, research conducted in Ahoada West has underscored the necessity of government support in the form of grants, seeds, and contemporary storage facilities to improve the recuperation and adaptability of impacted farmers.

Interconnected Challenges

Food security, flooding, and more general development issues are intertwined, according to recent studies. Severe floods in Nigeria have had catastrophic effects on livelihood assets,

food inventories, and yield prospects, according to the Food and Agriculture Organisation (FAO, 2022). This could potentially worsen food security circumstances in the months after harvest seasons. This interdependence highlights the necessity of tackling flood-related food poverty through coordinated strategies.

Flooding has significant and complex effects on food security in Ahoada East and West Local Government Areas, according to a further analysis of the literature. The intensity and regularity of flood episodes, the susceptibility and ability of agricultural households to adapt, and the efficiency of institutional responses are some of the variables that mediate these effects. Food insecurity brought on by floods necessitates a multifaceted strategy that includes both short-term relief efforts and long-term plans to increase impacted populations' resilience and adaptability.

Methodology

Data for this work is drawn from farming household in Ahoada East and West Local Government Areas (LGA) of Rivers State of Nigeria. It was assumed that agriculture engage 70% of the populations of the two local governments, as insulated by Adejuwon, (2010) who stated that agriculture engaged 70% of Nigeria population.

To determine the sample size of farmers in Ahoada East and Ahoada West using the Taro Yamane formula, based on the 70% of the population engaged in agriculture.

Given:

Step 1: Determine total population for the study areas (N)

Ahoada East population (2025 projection): 277,105(NPC, 2024).

Ahoada West population (2025 projection): 415,725 (NPC, 2024).

$$N = 277,105 + 415,725 = 692,830$$

Step 2: Apply Taro Yamane Formula

$$N = \frac{692,830}{1 + \sqrt{692,830 \cdot (0.005)^2}} = \frac{692,830}{1 + \sqrt{692,830 \cdot 0.0025}} = \frac{692,830}{1 + 1,732.075} = \frac{692,830}{1,733.075} \approx 400$$

This work will use tables and simple percentage (%) for analysis.

200 respondents for each LGA were used to answer the questions.

The study uses structured questionnaire targeted to sample opinion on flood effect on food security related issues. Five Likert scales is use in this work to address diverse opinions. Alexander (2022), Budnukaeku & Onyejiri (2022), Budnukaeku (2024) has used same in their works. The questionnaire is divided into six groups with sub-questions targeted to ease the work. The main questions are based on Impact on Crop Production, Effect on Livestock Farming, Influence on Food Security, Access to Markets and Transportation, Coping Strategies and Adaptation Measures, and Institutional Support and Government Assistance.

Ahoada East (n = 200)

1) Impact on Crop Production

Statement	SA	A	UD	D	SD
Flooding has significantly reduced my crop yields.	60 (30%)	80 (40%)	20 (10%)	30 (15%)	10 (5%)
Floodwaters damage crops, making them unsuitable	70 (35%)	70 (35%)	10 (5%)	30 (15%)	20 (10%)
Flooding has made it difficult to plant crops on time	50 (25%)	90 (45%)	20 (10%)	30 (15%)	10 (5%)
Soil fertility has decreased due to flooding.	40 (20%)	70 (35%)	40 (20%)	40 (20%)	10 (5%)
The cost of replanting after flooding is too high.	80 (40%)	60 (30%)	10 (5%)	30 (15%)	20 (10%)

2) Effect on Livestock Farming

Statement	SA	A	UD	D	SD
Flooding has increased disease in livestock.	50 (25%)	70 (35%)	30 (15%)	30 (15%)	20 (10%)
Floodwaters contaminate livestock feed and	60 (30%)	80 (40%)	20 (10%)	30 (15%)	10 (5%)

water sources.					
I have lost livestock due to flooding	40 (20%)	50 (25%)	20 (10%)	60 (30%)	30 (15%)
The cost of caring for livestock has increased.	70 (35%)	60 (30%)	20 (10%)	40 (20%)	10 (5%)
Flooding has reduced the quality and quantity of livestock products	30 (15%)	60 (30%)	40 (20%)	50 (25%)	20 (10%)

3) Influence on Food Security

Statement	SA	A	UD	D	SD
My household often experiences food shortages.	60 (30%)	70 (35%)	20 (10%)	40 (20%)	10 (5%)
The price of food increases significantly after flooding	80 (40%)	70 (35%)	10 (5%)	30 (15%)	10 (5%)
I have to reduce the quantity and quality of meals.	50 (25%)	80 (40%)	20 (10%)	40 (20%)	10 (5%)
My family's nutritional status has worsened	40 (20%)	60 (30%)	40 (20%)	50 (25%)	10 (5%)
I rely more on external food aid after flooding.	30 (15%)	50 (25%)	40 (20%)	60 (30%)	20 (10%)

4) Access to Markets and Transportation

Statement	SA	A	UD	D	SD
Flooding makes it difficult to transport produce to markets.	70 (35%)	80 (40%)	10 (5%)	30 (15%)	10 (5%)
Market access is often blocked due to damaged roads.	60 (30%)	70 (35%)	20 (10%)	40 (20%)	10 (5%)
The cost of transportation increases after flooding.	40 (20%)	50 (25%)	20 (10%)	60 (30%)	30 (15%)
Post-harvest losses are higher due to transportation delays.	50 (25%)	70 (35%)	30 (15%)	40 (20%)	10 (5%)
I am unable to sell produce due to lack of market access.	40 (20%)	50 (25%)	30 (15%)	60 (30%)	20 (10%)

5) Coping Strategies and Adaptation Measures

Statement	SA	A	UD	D	SD
I have adopted flood-resistant crop varieties.	30 (15%)	50 (25%)	40 (20%)	60 (30%)	20 (10%)
I have constructed elevated storage facilities.	20 (10%)	40 (20%)	30 (15%)	70 (35%)	40 (20%)
I have diversified my income sources.	40 (20%)	60 (30%)	30 (15%)	50 (25%)	20 (10%)
I have sought assistance from government agencies and NGOs.	30 (15%)	40 (20%)	40 (20%)	60 (30%)	30 (15%)
My coping strategies are effective in mitigating flood impacts.	10 (5%)	30 (15%)	40 (20%)	70 (35%)	50 (25%)

6) Institutional Support and Government Assistance

Statement	SA	A	UD	D	SD
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I receive adequate support from government after flooding.	10 (5%)	20 (10%)	30 (15%)	80 (40%)	60 (30%)
The government provides timely warnings about impending floods.	20 (10%)	30 (15%)	40 (20%)	60 (30%)	50 (25%)
The government provides assistance for replanting.	10 (5%)	20 (10%)	30 (15%)	70 (35%)	70 (35%)
I am aware of government programs aimed at mitigating impacts.	20 (10%)	30 (15%)	50 (25%)	60 (30%)	40 (20%)
Government interventions have improved my ability to cope.	10 (15%)	20 (10%)	30 (15%)	80 (40%)	60 (30%)

Ahoda West (n = 200)

1) Impact on Crop Production

Statement	SA	A	UD	D	SD
Flooding has significantly reduced my crop yields.	70 (35%)	90 (45%)	10 (5%)	20 (10%)	10 (5%)
Floodwaters damage crops, making them unsuitable.	80 (40%)	70 (35%)	10 (5%)	20 (10%)	20 (10%)
Flooding has made it difficult to plant crops on time.	60 (30%)	80 (40%)	20 (10%)	30 (15%)	10 (5%)
Soil fertility has decreased due to flooding.	50 (25%)	70 (35%)	30 (15%)	40 (20%)	10 (5%)
The cost of replanting after flooding is too high.	90 (45%)	60 (30%)	10 (5%)	20 (10%)	20 (10%)

2) Effect on Livestock Farming

Statement	SA	A	UD	D	SD
Flooding has increased disease in my livestock.	60 (30%)	80 (40%)	20 (10%)	30 (15%)	10 (5%)
Floodwaters contaminate livestock feed and water sources.	70 (35%)	90 (45%)	10 (5%)	20 (10%)	10 (5%)
I have lost livestock due to flooding.	50 (25%)	60 (30%)	10 (5%)	50 (25%)	30 (15%)
The cost of caring for livestock has increased.	80 (40%)	70 (35%)	10 (5%)	30 (15%)	10 (5%)
Flooding has reduced the quality and quantity of livestock products.	40 (20%)	70 (35%)	30 (15%)	40 (20%)	20 (10%)

3) Influence on Food Security

Statement	SA	A	UD	D	SD
My household often experiences food shortages.	70 (35%)	80 (40%)	10 (5%)	30 (15%)	10 (5%)
The price of food increases significantly after flooding.	90 (45%)	70 (35%)	10 (5%)	20 (10%)	10 (5%)
I have to reduce the quantity and quality of meals.	60 (30%)	90 (45%)	10 (5%)	30 (15%)	10 (5%)
My family's nutritional status has worsened.	50 (25%)	70 (35%)	30 (15%)	40 (20%)	10 (5%)
I rely more on external food aid after flooding.	40 (20%)	60 (30%)	30 (15%)	50 (25%)	20 (10%)

4) Access to Markets and Transportation

Statement	SA	A	UD	D	SD
Flooding makes it difficult to transport produce to markets.	80 (40%)	90 (45%)	10 (5%)	20 (10%)	0 (0%)
Market access is often blocked due to damaged roads.	70 (35%)	80 (40%)	10 (5%)	30 (15%)	10 (5%)
The cost of transportation increases after flooding.	90 (45%)	70 (35%)	10 (5%)	20 (10%)	10 (5%)
Post-harvest losses are higher due to transportation delays.	60 (30%)	80 (40%)	20 (10%)	30 (15%)	10 (5%)
I am unable to sell produce due to lack of market access.	50 (25%)	60 (30%)	20 (10%)	50 (25%)	20 (10%)

5) Coping Strategies and Adaptation Measures

Statement	SA	A	UD	D	SD
I have adopted flood-resistant crop varieties.	40 (20%)	60 (30%)	30 (15%)	50 (25%)	20 (10%)
I have constructed elevated storage facilities.	30 (15%)	50 (25%)	20 (10%)	60 (30%)	40 (20%)
I have diversified my income sources.	50 (25%)	70 (35%)	20 (10%)	40 (20%)	20 (10%)
I have sought assistance from government agencies and NGOs.	40 (20%)	50 (25%)	30 (15%)	50 (25%)	30 (15%)
My coping strategies are effective in mitigating flood impacts.	20 (10%)	40 (20%)	30 (15%)	60 (30%)	50 (25%)

6) Institutional Support and Government Assistance

Statement	SA	A	UD	D	SD
I receive adequate support from government after flooding.	20 (10%)	30 (15%)	20 (10%)	70 (35%)	60 (30%)
The government provides timely warnings about impending floods.	30 (15%)	40 (20%)	30 (15%)	50 (25%)	50 (25%)
The government provides assistance for replanting.	20 (10%)	30 (15%)	20 (10%)	60 (30%)	70 (35%)
I am aware of government programs aimed at mitigating impacts.	30 (15%)	40 (20%)	40 (20%)	50 (25%)	40 (20%)
Government interventions have improved my ability to cope.	20 (10%)	30 (15%)	20 (10%)	70 (35%)	60 (30%)

These tables provide a clear overview of the survey responses for both Ahoada East and West, showing both the number of respondents and the corresponding percentages for each answer choice.

Discussion of the Result

The interview data collected from 400 respondents (200 from each LGA) provides valuable insights into how flooding affects the livelihoods and food security of farming

households in Ahoada East and West. The findings reveal significant challenges across multiple dimensions, including crop production, livestock farming, food security, market access, coping strategies, and institutional support.

1) Impact on Crop Production

A sizable percentage of respondents in both LGAs agreed or strongly agreed that flooding had severely lowered crop yields and damaged crops, rendering them unfit for sale or

consumption. Flooding decreased crop output, for instance, according to 70% of respondents in Ahoada East and 80% in Ahoada West. This supports earlier research showing the susceptibility of rain-fed agriculture to flood events (Olunwa & Lawal, 2021; Ogunbameru & Okeowo, 2019), which shows that floods cause interference with planting schedules, lower soil fertility, and raise replanting expenses.

Most respondents (75% of those who strongly agreed and 75% of those who agreed) said that flooding damages crops and drastically lowers crop yields, rendering them unfit for sale or consumption. Furthermore, 70% of respondents concurred that flooding upsets planting plans and raises replanting expenses. Of those surveyed, 57.5% stated that floods had caused a drop in soil fertility. Flood events significantly impair crop production in the studied locations, as these findings demonstrate the direct negative consequences of flooding on agricultural productivity.

2) Effect on Livestock Farming

Flooding-related feed and water source contamination and an increase in animal diseases were noted by respondents. Between 60 and 70 percent of farmers in both LGAs concurred with these claims. Even though it was somewhat less noticeable, livestock loss was still a worry, showing that although it does happen, productivity and health are the primary effects. This supports the findings of Nwankwo et al. (2021), who highlighted the difficulties with animal health brought on by flooding in the Niger Delta.

Flooding contaminates feed and water sources and promotes cattle diseases, according to about 65% of respondents. Only over half of respondents reported actual livestock losses as a result of flooding, indicating that the effects on productivity and health are more common than outright losses. Seventy percent of responders acknowledged the higher cost of caring for cattle after flooding. This data indicates that flooding poses a substantial threat to livestock farming, affecting both animal health and associated expenses.

3) Influence on Food Security

Flooding has a significant impact on food insecurity; the majority of respondents reported regular food shortages, rising food costs, and decreased meal amount and quality following floods. Interestingly, 65-75% of respondents in

both LGAs concurred that after flooding; their households face price increases and food shortages. This supports data from the Food and Agriculture Organisation (2022) on flood impacts in Nigeria and illustrates the clear correlation between household food security and flood-induced crop losses.

According to the findings, 70% of respondents reported food shortages and price increases following floods, demonstrating that flooding makes food insecurity worse. Around 70% also reported reduced meal number and quality, while 45% rely more on external food aid following flooding. These numbers highlight the crucial connection between household food insecurity and flooding, highlighting how vulnerable agrarian communities are to shocks brought on by climate change.

4) Access to Markets and Transportation

The research areas' transport networks and market access were significantly impacted by flooding. Of those surveyed 75–85% felt that their capacity to sell produce was hampered by damaged roads and rising transportation costs. In addition to causing post-harvest losses, this lowers farmers' revenue, which makes poverty and food insecurity worse. These findings support previous studies (Adeloye & Rustum, 2011) that showed how important infrastructure is to agricultural value chains during floods.

Significantly, 80% of respondents concurred that flooding impedes market access and transportation, raising post-harvest losses and transportation expenses. Due to market accessibility issues, almost 50% of respondents said they were unable to sell produce. In addition to having an impact on revenue generation, this interruption restricts the amount of food available in local markets, making food security issues worse.

5) Coping Strategies and Adaptation Measures

While some farmers have implemented coping mechanisms, such as diversifying their sources of income and planting crops that can withstand flooding, a sizable portion of farmers are still unsure or disagree about how effective these strategies are, according to the data. For example, fewer people thought their coping mechanisms worked, and only 40–50% of respondents said they had adopted flood-resistant varieties. This implies a lack of institutional support, resources, or expertise to carry out effective adaptation measures, which

is consistent with the worries expressed by Adaku et al. (2019).

While some farmers have adopted coping strategies such as diversifying income sources (55%) and adopting flood-resistant crops (45%), a considerable proportion remain undecided or disagree on the effectiveness of these measures. Only 25% believe their coping strategies effectively mitigate flood impacts, indicating limited access to resources, knowledge, or institutional support to build resilience.

6) Institutional Support and Government Assistance

Institutional support was widely perceived as inadequate. For instance, over 70% of respondents disagreed or strongly disagreed that they receive sufficient government assistance, timely warnings, or effective post-flooding interventions. Awareness of government programs was moderate not enough to translate into perceived benefits. This indicates a critical gap in disaster risk management and social protection systems in the LGAs, consistent with findings by Uchegbu (2021) and Ogunbameru & Okeowo (2019).

The findings reveal widespread dissatisfaction with institutional support; over 65% of respondents disagreed or strongly disagreed that they receive adequate government assistance, timely warnings, or effective interventions post-flooding. Awareness of government programs was moderate (around 30%), but this did not translate into perceived benefits.

Summary of Findings

Overall, the findings demonstrate that flooding severely disrupts agricultural production, livestock health, market access, and food security in Ahoada East and Ahoada West. Despite some adaptive efforts, limited institutional support and resource constraints hinder effective coping and recovery. These insights emphasize the necessity for integrated flood management, enhanced agricultural support, and strengthened institutional frameworks to build resilience among vulnerable farming communities. These findings emphasize urgent need for integrated flood management strategies that combine infrastructural improvements, farmer education, access to climate-resilient technologies, and strengthened government assistance programs. Enhancing early warning systems and

community-based disaster preparedness could also improve resilience and reduce the vulnerability of farming households in these flood-prone areas.

Conclusion

This study has demonstrated that flooding poses a persistent and severe threat to food security, livelihoods, and public health in Ahoada East and Ahoada West Local Government Areas of Rivers State. The analysis of responses from farming households reveals widespread destruction of crops and livestock, increased incidence of disease, disruption of market access, and a general decline in household food security following flood events. These impacts are compounded by inadequate institutional support, insufficient early warning systems, and limited adoption of effective coping and adaptation strategies.

Traditional coping mechanisms such as the use of sandbags, digging of burrow pits, stream channelization, and construction of elevated buildings remain prevalent and have proven practical in mitigating flood impacts in these communities. However, the increasing frequency and intensity of floods, driven by climate change and exacerbated by human activities like poor waste management and construction on waterways, highlight the limitations of relying solely on indigenous methods. The findings also underscore the urgent need for integrated and modern approaches to flood management, combining infrastructural improvements, environmental education, and robust policy frameworks.

The study concludes that a multi-faceted response-blending traditional knowledge with modern flood control infrastructure, community education, and proactive governance is essential for building resilience and safeguarding the well-being of vulnerable populations in Ahoada East and Ahoada West.

Recommendations

1) Integrate Traditional and Modern Flood Management:

Governments and local authorities should formally recognize and support traditional coping strategies (e.g., sandbags, stream channelization, elevated construction) while investing in modern flood control infrastructure such as drainage systems and embankments.

2) Strengthen Environmental Education and

Community Sensitization:

Implement continuous environmental adult education, waste management, and climate change awareness programs to foster a culture of preparedness and proactive flood risk reduction.

3) Improve Drainage and Waste Management:

Local governments should construct and maintain drainage systems in flood-prone areas and redesign dumpsites to prevent blockages that exacerbate flooding.

4) Enhance Early Warning and Emergency Response:

Establish and publicize effective early warning systems, and ensure timely evacuation and relief for vulnerable communities during flood events.

5) Promote Institutional Collaboration:

Foster synergy among environmental management agencies (NESREA, RIWAMA, Ministry of Environment, etc.) to develop comprehensive blueprints for flood risk reduction and response.

6) Support Livelihood Diversification and Agricultural Adaptation:

Provide farmers with access to flood-resistant seeds, grants, and training on adaptive agricultural practices to enhance resilience and ensure food security post-flood.

7) Policy Enforcement and Land Use Planning:

Enforce land use regulations to prevent settlement and farming in high-risk flood zones and promote sustainable land management practices.

By implementing these recommendations, stakeholders can reduce the devastating impacts of flooding, protect agricultural productivity, and improve the overall resilience of communities in Ahoada East and Ahoada West LGAs.

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Challenges to the Appropriate and Adequate Implementation of Environmental Protection Measures for the Achievement of a Healthy Environment in Cameroon

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doi:10.56397/JRSSH.2025.07.02

Abstract

Cameroon faces significant environmental challenges, including deforestation, pollution, and climate change, which threaten the health and well-being of its citizens. Despite the existence of environmental laws and regulations, the implementation of environmental protection measures remains inadequate. This paper examines the challenges hindering the effective implementation of environmental protection measures in Cameroon. In a bid to realize the objective of this paper, the researcher makes use of the qualitative research methodology with unstructured interviews and observations as key methods. Hence, the ensuing results identify weak institutional capacity, lack of enforcement, inadequate funding, and limited public awareness as major obstacles. The paper also highlights the impact of corruption, poor governance, and conflicting interests on environmental protection efforts. To address these challenges, the paper recommends strengthening institutional capacity, increasing public awareness and participation, and ensuring effective enforcement of environmental laws. Additionally, it suggests exploring innovative financing mechanisms and promoting sustainable development practices to achieve a healthy environment in Cameroon. The findings of this paper have implications for policymakers, environmental stakeholders, and the general public, emphasizing the need for collective action to protect Cameroon's environment and promote sustainable development.

Keywords: challenges, appropriate, adequate, implementation, environmental, protection, measures, achievement, healthy environment, Cameroon

1. Introduction

Variants of a right to an environment of a particular quality can be found in numerous national constitutions, as well as in the regional human rights instruments of Africa and the Americas and several international declarations

and other soft-law instruments. The right is also included in the multilateral United Nations human rights conventions, although these treaties do guarantee numerous human rights which could be said to possess environmental dimensions, such as the right to health, life, and

an adequate standard of living. United Nations bodies including the Office of the High Commissioner for Human Rights, the United Nations Environment Programme and the Human Rights Council have recognised the close relationship between the environment and human rights and have acknowledged the need for further work on the possible development of the law in this area.¹

The history of environmental protection dates as far back as humans have lived on the earth. From the period when man was a forager to when he adopted a sedentary lifestyle, environmental harm through mostly pollution, ecological degradation, ozone layer depletion, has gradually accumulated to the point where it has become clear that it is a major human problem. Unavoidably, various pollutants are by-products of most human activities. An increase in economic development results in a corresponding increase in the quantity and complexity of the waste generated, deforestation and biodegradation with severe environmental and health consequences. The major sources of pollutants include commercial, construction, residential households, mining, and the agricultural sector. These sources give rise to hazardous waste harmful to the environment.

The concept of environmental protection is relative, as it conveys different meanings to different persons.

During the pre-industrial revolution era, as cities and towns with their populations grew, concerns for public health began emerging through environmental protection measures such as, organized municipal solid waste management systems in ancient cities as way

back and as early as 2000 B.C.². By 500 B.C, the Greeks had organized the first acknowledged Municipalw dumps and issued the first decree against throwing garbage in the streets. Environmental protection during this era consisted mostly of removing waste from buildings and discarding it on the land either uncovered or buried, as well as in open water bodies such as ponds, rivers, lakes, and oceans.³

The Industrial Revolution transformed Europe and America into 'Urban Giants'. As industries pulled populations into urban centers, sanitation problems ensued along with its attendant problems of waste generation, thus necessitating the need for environmental protection policies. Environmental protection therefore became a growing global concern due to increased industrialization and urbanization taking place across the globe. This is due to its impact on the environment and human health. For instance, leachate from municipal waste leads to the pollution of surface and underground water sources; increased risk of cancer due to poorly regulated incineration, thus constituting a hazard to the surrounding communities. These negative impacts of human activities on the environment triggered efforts toward international environmental protection, beginning from the Stockholm Declaration of 1972 to present date.

The Stockholm Declaration of 1972 is a product of the first United Nations Conference that placed environmental issues at the forefront of international discuss and started dialogue between industrialized and developing countries on the link between economic growth, the pollution of air, water, and oceans and the wellbeing of people around the globe. An important milestone of the Stockholm conference was the creation of the United Nations Environmental Program (UNEP) in Nairobi, Kenya. Another outcome of the Stockholm Conference is the 1972 convention for the prevention of Marine pollution by dumping of waste and other matter ⁴ known as the London Convention.

After the Stockholm Conference, the United Nations created the World Commission on

¹ See Office of the High Commissioner for Human Rights, Analytical study on the Relationship Between Human Rights and the Environment, UN Doc A/HRC/19/34, 16 December 2011 para 64-73; John Knox, Report of the Independent Expert on the issue of human rights obligations relating to the enjoyment of a safe, clean and healthy environment: Mapping Report, UN Doc No A/HRC/25/53 (30 December 2013) presented to the Human Rights Council 25th SESS, agenda item 3 (11 March 2014); Office of the High Commissioner for Human Rights and United Nations Environment Programme, Human Rights and the Environment: Rio+20 Joint Report OHCHR and UNEP, Background document for OHCHR-UNEP Side Event 'Human Rights at the Centre of Sustainable Development - Honouring Principle 1', United Nations Conference on Sustainable Development, Rio de Janeiro, 19 June 2012; Alan Boyle, 'Human Rights and the Environment: Where Next?' (2012) European Journal of international Law 23(3) 613, 618.

² Melosi, V. (1983). *Garbage in the cities: Refuse reform and the environment*. Texas A&M University Press.

³ *Ibid*.

⁴ Weiss, B. (2011). The evolution of international environmental law. *Georgetown Law Faculty Publications*, 54, 1-27.

Environment and Development known as the Brundtland Commission in 1983. The work of the commission resulted in the report “Our Common Future” in 1987 which laid the foundation of the concept of Sustainable Development.

The 1992 Rio de Janeiro Earth Summit on Environment and Development resulted in the signing of the United Nations Framework Convention on Climate Change (UNFCCC) and the United Nations Convention on Biological Diversity (UNCBD). The Rio Declaration was equally established which reaffirmed the Stockholm Declaration and the Agenda 21 which is an environmental action plan to deal with some fundamental problems of resource degradation and aid to the developing world.

After the Rio Declaration, most major treaties began to include environmental protection as an important aspect. Some of these include; the Basel Convention(1992) on the Control of Transboundary Movements of Hazardous Waste and their Disposal; the Stockholm Convention (2004) on Persistent Organic Pollutants; MARPOL (1973) Convention for the prevention of Pollution from Ships; the Rotterdam Convention (1998) on the Prior Informed Consent Procedure for Hazardous Chemicals and Pesticides in International Trade; the Kyoto Protocol (1992); the Paris Agreement (COP 21); the 27th Conference of the Parties to the United Nations Framework Convention on Climate Change (COP 27) to establish and operationalize a loss and damage fund; the Bamako Convention (1991) on the ban of the import to Africa and the control of transboundary movement and management of hazardous waste within Africa.

Globally, 7 - 9 billion tons of waste are produced yearly. Waste generation has increased from 635 million tons in 1965 to 1,999 million tons in 2016 and will reach 3,539 million tons by 2050¹. Different types of human activities have different impacts on the environment and human health in relation to the disposal methods. Plastic for instance is durable and can persist in the environment for decades. As such, they have become an urgent global concern.

On a global scale, plastic production is

increasing at an exponential rate. This large-scale production of plastics started around the 1950's, much of which is discarded almost immediately after use. This has overwhelmed governments and municipal efforts around the globe in managing plastic waste, leading some researchers to describe our present era as the “Plastic Age²”.

In comparison with the developed regions in terms of the volume of pollutants generated, the generation rate in Africa is relatively low, but faces an increasing environmental Crisis. Statistics show that 125 million tons/annum of solid waste was generated in Africa in 2012, and the volume of waste is expected to grow to double by the end of 2025. Of the total waste generated, only 55% is collected on average, while close to half of all is dumped along the streets, runoff channels, river channels, and open fields³.

Cameroon shares the same environmental management experiences with most developing countries. A plethora of environmentally related conventions ratified by Cameroon do exist. Some of these conventions amongst others include: The Bamako Convention on the Prohibition to import hazardous waste in Africa and the control of their Transboundary Movements of 30 January 1991; Kyoto Protocol to the United Nations Framework Convention on Climate Change of 11 December 1997; as well as Laws such as Law No.94/01 Of 20 January 1994 to lay down forestry, wildlife, and fisheries regulations; Law No. 96/12 Of 05 August 1996 relating to environmental management. These conventions, laws, and decrees are at the forefront of efforts at the national level to combat environmental harm in relation to human existence.

The plurality of regulations in environmental management has not been matched with practice in the field as mostly, waste management has remained the traditional collect and dump strategy, biodiversity is being depleted with impunity and the climate change has been left unattended to. In some slums and spontaneous build up areas, it is common to see household waste littered along roadsides,

¹ Meng-Chuen, D., et al. (2020). The world's growing municipal solid waste: Trends and impacts. *Environmental Research Letters*, 15. DOI: 10.1088/1748-9326/ab8659

² Richard, C., Shanna, H., et al. (2009). Our plastic age. *Philosophical Transactions of the Royal Society B: Biological Sciences*, 369, 1973–1976.

³ Scarlat, N., et al. (2015). Evaluation of energy potential of municipal solid waste from African urban areas. *Renewable and Sustainable Energy Reviews*, 50, 1269–1286.

stream channels covered with plastic bottles, drainage and runoff trenches blocked with solid waste and a lot more.

Despite the adoption of several continental and regional policies to enhance a healthy environment, the ability to enforce these environmental regulations in many African countries, not least Cameroon, has resulted in impunity, thus weakening the effectiveness of environmental management in general. This problem is best reflected in urban towns and cities of Cameroon.

The status of the right to a healthy environment in international human rights law has attracted much scholarly attention as part of a broader discourse on the interrelationship between human rights and the environment. There is frequent reference to a right to a healthy environment in the literature but little consensus as to what such a right actually guarantees, why it is justified or even whether it exists. It is generally accepted that human rights and the environment are mutually supportive, as environmental degradation can undermine the enjoyment of human rights, while strong human rights protections contribute to better environmental management and conservation, but there is disagreement as to exactly what form this relationship should take.¹ A number of scholars have argued that the interconnectedness between the environment and human rights should lead to a conclusion that humans possess a right to a healthy environment, although there is considerable variation in how these scholars define the right and how they would justify its recognition within international law. There is also disagreement among scholars regarding the status of the right, with some arguing that it does not yet exist but should be adopted, while others say that it is emerging within customary international law or even that it has already attained customary status. There are also strong arguments that the right to a healthy environment does not yet have a place within international law and ought not to be recognised.

It is against this backdrop that this research seeks to conduct a comprehensive investigation of the status and merits of the right to a healthy

environment, what the rights guarantee, how is it justified and if it is actually in existence and to what extent. The research is premised on the notion that assertions of the existence of a human right to a healthy environment or calls for its international legal recognition should be interrogated, as the legitimacy of human rights depends on the justifiability of any new or emerging right. Given the increasing use of human rights principles and language in discussions surrounding climate change and other environmental hazards, the research particularly aims to ascertain how to achieve a right to a healthy environment in Cameroon, what it might mean with respect to environmental challenges and the role played by the State that is considered to be the duty bearer on the one hand and that of non-state actors who are deemed to be ordinary citizens, and private interest operators deemed to be stakeholders in the process. To that end, this article examines a few theoretical, legal, practical, and political aspects of the debate, in an attempt to identify the current legal status of the right and then explore the requirements and limitations which would apply to any future legal recognition and guarantees.

2. National Legal Framework Guaranteeing the Achievement of a Healthy Environment

The Republic of Cameroon has made significant legal commitments to ensure environmental protection and the realization of the right to a healthy environment through its national legal framework. This framework comprises constitutional provisions, legislation, and sectoral laws. A plethora of domestic legislations have been enacted in Cameroon for the regulation and proper management of the environment. These laws include amongst others the 1996 Constitution, the 1996 Law on Environmental Management and the 2016 Penal Code. These laws will be treated in turns.

2.1 The 1996 Cameroon Constitution

The Cameroon Constitution is the organic Law of the land. The reunification of the two Cameroons to form the Republic of Cameroon on the 20th of May 1972 led to the adoption of the 1972 Constitution. As such, the Cameroon Constitution promulgated in 1972 forms the basis of the current Cameroon constitution. On the 18th of January 1996, the Cameroon National

¹ Anton, D., & Shelton, D. (2011). *Environmental protection and human rights* (pp. 118–119). Cambridge University Press.

Assembly passed the 1996 law¹ which amended the constitution of 2 June 1972². In April 2008, Law No.2008/001 of 14 April 2008 was passed to amend and supplement some provisions of the 1996 Law which amends the 1972 Constitution.³

The Cameroon Constitution does not lay much emphasis on environmental management in rendering it healthy for her citizens. This notwithstanding, the preamble to the constitution provides the starting point for environmental protection in Cameroon. It provides that every person shall have a right to a healthy environment. The protection of the environment shall be the duty of every citizen. The State shall ensure the protection and improvement of the environment.⁴ The right to a healthy environment cannot be attained if waste is not properly managed, biodiversity exploitation not properly regulated as well as control of activities that deplete the ozone layer. The Constitution therefore places the onus on both the state and the citizens to ensure proper environmental management for the benefit of the citizenry.

The Preamble to the Constitution which is considered as part and parcel of the constitution⁵ therefore addresses the issue of environmental management by according the duty to protect the environment to the Cameroonian citizenry.

2.2 Law n° 96/12 of August 5, 1996, on the Framework Law Relating to Environmental Management

The 1996 Framework Law on environmental management, considered as the cornerstone legislation on environmental protection in Cameroon, lays down the general legal framework for environmental management in Cameroon. The law defines waste as any residue from the production, processing or utilization process, any substance or material produced or more generally any movable and immovable goods abandoned or intended to be abandoned.⁶

¹ Law No.96/06 of the 18 January 1996 to institute the Cameroonian Constitution as amended by Law No.2008/001 of 14 April 2008.

² Onang, T. E. M. (2002). *Moderne law and local tradition in the forest heritage conservation in Cameroon: The case of Korup* (Unpublished doctoral dissertation). Brandenburg University of Technology in Cottbus.

³ *Ibid.*

⁴ Constitution of the Republic of Cameroon. Art 5.

⁵ *Ibid.*

⁶ Article 4 (C) of the 1996 Framework Law.

Its Articles 42 – 53 provides for mechanisms for waste disposal and management.

Pursuant to Article 42, waste shall be treated in an ecologically rational manner to eliminate or curb their harmful effects on human health, natural resources, the fauna and flora and on the quality of the environment in general. Article 46 (1) points out that decentralized territorial councils shall eliminate household waste, possibly with the competent state services, in keeping with the laws in force while Article 46 (2) adds that the decentralized territorial councils should ensure that all midnight and abandoned dumps be eliminated with assistance of the competent authority.

More so, Article (48) of the law adds that when waste is abandoned, dumped or processed in violation of the prescription of this law and its enabling regulations, the authority vested with police powers shall automatically eliminate the said waste at the expense of the said producer, after charging the producer to pay.

The law prohibits the burial of waste in the sub-soil. Any person intending to do so must be authorized by competent authorities.⁷ The burial of waste without authorization shall lead to evacuation of the waste by the person who buried it.⁸ Waste immersion, incineration or elimination by any procedure in the continental and or maritime waters under the Cameroonian jurisdiction is strictly prohibited under the law.⁹ The law prescribes as penalty for any person who degrades the soil or subsoil or alter the quality of waters for want of proper waste management an obligation to pay a fine of 1000,000FCFA to 5000,000FCFA and an imprisonment sentence of 6 (six) months to 1 (one) year or only one of these two.

The framework law on environmental management is therefore very strict when it comes to solid waste management.

The Law equally defines environmental rights, sustainable development, and pollution control and mandates environmental impact assessments (EIA) for activities that are susceptible to causing harm to the environment¹⁰.

2.3 Law No 2016/007 of 12th July 2016 to Institute

⁷ Article 51 (1) of the 1996 Law.

⁸ Article 52 (2) *Ibid.*

⁹ Article 49 *Ibid.*

¹⁰ Law No 96/12 of 5 August 1996.

the Cameroonian Penal Code

The Penal Code¹ is that code that defines specific offenses and their respective sanctions. The function of penal laws is to protect the most important values of the society, by criminalizing offences. Cameroon has a well-defined and structured Penal Code which aims at punishing defaulters. Worthy of mention is the fact that the Cameroon Penal Code is not too strict with regards to ineffective waste management. Rather it gives a general sanction to acts against public safety and Environmental Protection thereby showing its relevance to this article.

As provided in Section 229(1) of the Cameroon Penal Code, whoever unauthorized does not in immediate effect discard of dangerous or toxic waste generation by its company shall be punished with imprisonment of from 5 years to 10 years and a fine of from 5000,000 to 500,000,000 XAF. Section 261 emphasize more on pollution. As per the provisions of Section 261 whoever by his operations, pollutes any drinkable water liable to be used by another, or so, pollutes the atmosphere as to render it harmful to human health, shall be punished with imprisonment for from 15 days to 6 months or with fine of from 5000 to 1000000 XAF or with both such imprisonment and fine.

This legal provision underscores the imperative for individuals to adhere to the laws governing the environment. Failure to comply could result in both fines and imprisonment.

2.4 Law No. 94/01 of 20 January 1994 on Forestry, Wildlife, and Fisheries

This Law regulates the sustainable exploitation of natural resources.² The right to a healthy environment is increasingly recognized as a fundamental human right both internationally and within domestic legal systems. In Cameroon, one of the most significant legal instruments for environmental protection is Law No. 94/01 of 20th January 1994 relating to the management of forests, wildlife, and fisheries. This law plays a foundational role in operationalizing the right to a healthy environment by setting forth principles and regulatory mechanisms for sustainable natural resource management.

Law No. 94/01 was enacted in response to both

domestic environmental challenges and international commitments, such as the 1992 Rio Earth Summit, which emphasized sustainable development and environmental stewardship. While the Cameroonian Constitution does not explicitly recognize the right to a healthy environment, Article 9(1) of the law reflects the principle of sustainable use of natural resources, which is a component of that right. This legal instrument is grounded in a preventive and precautionary approach, emphasizing environmental impact assessments (EIA) as mandatory for projects likely to affect natural ecosystems³.

Law No. 94/01 classifies forests into permanent and non-permanent domains, with the aim of curbing deforestation and biodiversity loss. It promotes reforestation and mandates that logging companies operate under approved management plans⁴.

This law introduced EIAs into Cameroonian legislation. Article 17 requires that major development projects must undergo environmental scrutiny to prevent degradation⁵. This tool ensures that potential threats to the environment are identified and mitigated before implementation.

Through its provisions on wildlife conservation, including the creation of national parks and protected areas, the law ensures habitat preservation. This not only protects ecological integrity but also supports the broader objective of a clean and safe environment⁶.

This law equally recognizes the rights of local and indigenous communities to participate in the management and benefit-sharing of forest resources. This aligns with the principle of environmental democracy, a core element of the

¹ Law N0 2016/007 of 12th July 2016.

² Republic of Cameroon. (1994). Law No. 94/01 of 20 January 1994 on Forestry, Wildlife and Fisheries.

³ Republic of Cameroon. (1994). Law No. 94/01 of 20 January 1994 to lay down forestry, wildlife and fisheries regulations, Article 17.

⁴ Tchawa, P. (2009). Forest policy and legislation in Cameroon. *Forest Policy and Economics*, 11(5-6), 345–356. <https://doi.org/10.1016/j.forpol.2008.10.001>

⁵ Oyono, P. R., Biyong, M. B., & Samba, S. A. N. (2012). Beyond the Decade of Policy and Community Euphoria: The State of Livelihoods under New Local Rights to Forest in Rural Cameroon. *Conservation and Society*, 10(2), 173–181.

⁶ Karsenty, A. (2007). Questioning rent for development swaps: New market-based instruments for biodiversity acquisition and the land-use issue in tropical countries. *International Forestry Review*, 9(1), 503–513.

right to a healthy environment¹.

Despite its progressive nature, Law No. 94/01 faces challenges in enforcement, including inadequate institutional capacity, corruption, and conflicts between development interests and environmental protection. Illegal logging and weak monitoring continue to undermine the environmental rights of citizens².

Law No. 94/01 contributes significantly to environmental governance in Cameroon. It indirectly enforces the right to a healthy environment by establishing legal obligations for sustainable resource use, ecological conservation, and public participation. In doing so, it aligns with international human rights and environmental standards, such as the African Charter on Human and Peoples' Rights (Article 24)³.

2.5 Law No. 98/005 of 14 April 1998, Governing Water Resources in Cameroon

Water is an essential component of the environment, and its protection is intrinsically linked to the realization of the right to a healthy environment. Cameroon's Law No. 98/005 of 14 April 1998 establishes the legal framework for the management and protection of water resources. This law forms a cornerstone in national efforts to guarantee access to clean water, prevent pollution, and promote sustainable development which are key components of environmental rights. Law No. 98/005 provides for the protection of both surface and underground water against pollution and misuse. It defines water as a national patrimony and emphasizes its rational and equitable use. The law prohibits the pollution of water sources and requires that any industrial or economic activity likely to affect water quality must undergo prior environmental impact assessments and obtain government authorization⁴. Articles 14–17 of the

law criminalize the discharge of harmful substances into water bodies without treatment, thereby safeguarding human health and ecosystems⁵.

The law mandates the rational exploitation of water resources, in line with the principles of sustainable development⁶. The Law equally provides mechanisms for public involvement in water management, including local communities affected by water projects⁷.

The right to a healthy environment, although not expressly enshrined in the Cameroonian Constitution, is implied through the combination of various environmental statutes and international commitments. Law No. 98/005 supports this right by ensuring access to clean and safe water, preventing environmental degradation, and reinforcing government accountability in environmental protection.

Also, the law aligns with Cameroon's obligations under international instruments such as the African Charter on Human and Peoples' Rights, which enshrines the right of peoples to a satisfactory environment favorable to their development⁸.

In essence, Law No. 98/005 is a vital legal instrument in Cameroon's environmental governance regime. It not only regulates the use of water resources but also operationalizes the components of the right to a healthy environment through mechanisms of prevention, control, and public involvement.

2.6 Law No. 98/005 of 14 April 1998

Law No. 98/005 of 14 April 1998 relating to the Orientation of Education in Cameroon is a key legal instrument that, while primarily focused on educational policy, plays an indirect but significant role in achieving the right to a healthy environment. This law recognizes the importance of environmental education and the development of environmental awareness among learners, contributing to long-term sustainable development. The law mandates the integration of environmental education into school curricula, ensuring that students acquire knowledge, attitudes, and behaviors that

¹ Bigombé Logo, P. (2003). Decentralised forest management in Cameroon: the 'Community Forest' experience after five years of implementation. *The Rural Development Forestry Network*, 25e, 1–13.

² Cerutti, P. O., & Tacconi, L. (2008). Forests, illegality, and livelihoods in Cameroon. *Forest Policy and Economics*, 10(5), 497–508. <https://doi.org/10.1016/j.forpol.2008.04.003>

³ African Commission on Human and Peoples' Rights. (1981). African Charter on Human and Peoples' Rights, Article 24.

⁴ Republic of Cameroon. (1998). Law No. 98/005 of 14 April 1998 to Lay Down Regulations Governing Water in Cameroon, Article 9.

⁵ Ibid., Articles 14–17.

⁶ Ibid., Article 7.

⁷ Ibid., Article 21.

⁸ African Charter on Human and Peoples' Rights, June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. (1982), Article 24.

promote environmental protection. This contributes to building a culture of environmental responsibility and sustainability from a young age. "Education shall ensure the training of a responsible citizen who is committed to the protection of the environment..."¹

In a provision that reflects the State's commitment to empowering future generations with the skills and values necessary to preserve and improve the environment, aligning with international environmental principles like those in the Rio Declaration on Environment and Development (1992)².

The Constitution of Cameroon (1996) guarantees every citizen the right to a healthy environment and the duty to protect it. Law No. 98/005 operationalizes this right through educational policy, thus reinforcing the constitutional framework. "Everyone has the right to a healthy environment. The State shall protect and improve the environment".

By embedding environmental concerns in education, Law No. 98/005 contributes to realizing this constitutional right. The law promotes national development in harmony with environmental sustainability. Through training programs and curricula focusing on ecological balance, the law helps shape policies and attitudes that are essential to long-term ecological sustainability.

2.7 Law No. 2003/003 of 21 April 2003 on the Safety of Biotechnology

Cameroon's commitment to the right to a healthy environment is reflected in various legal instruments, including Law No. 2003/003 of 21 April 2003 on the Safety of Biotechnology. This law was enacted to regulate the use of genetically modified organisms (GMOs) and biotechnology to ensure environmental and human safety³. It embodies a precautionary approach consistent with international obligations such as the Cartagena Protocol on Biosafety to the Convention on Biological Diversity⁴. This law is particularly significant

because biotechnological developments, while potentially beneficial for agriculture and health, also pose risks to biodiversity, ecosystems, and public health. This Law establishes a legal framework to assess and manage these risks through mechanisms such as prior informed consent, risk assessment procedures, and monitoring systems⁵.

By controlling the introduction and use of GMOs, the law aims to prevent environmental degradation and protect biodiversity, which are key components of the right to a healthy environment. It also mandates public participation and access to information, aligning with Principle 10 of the Rio Declaration⁶, which is central to environmental justice and sustainability.

To a greater dimension, the law creates the National Biosafety Committee and provides for the establishment of a biosafety clearing house, which facilitates coordination and information sharing. These institutional mechanisms are critical for enforcing environmental protection standards and ensuring accountability in the use of biotechnology. In essence, Law No. 2003/003 supports the realization of the right to a healthy environment in Cameroon by ensuring that biotechnological advancements are safely and sustainably integrated into society.⁷

2.8 Law No. 2003/003 of 21 April 2003

This law, although primarily focused on the safety of persons and property, has implications for environmental protection and public health. This discussion analyses how Law No. 2003/003 contributes to achieving the right to a healthy environment in Cameroon.

Law No. 2003/003 of 21 April 2003 governs the safety of persons and property by regulating activities that may pose risks to public order, safety, and health. It provides mechanisms for preventing accidents, disasters, and other events that may harm human life or the environment. The law applies to both natural and

¹ Republic of Cameroon. (1998). Law No. 98/005 of 14 April 1998 to lay down guidelines for education in Cameroon. Yaoundé: Government Printer.

² Law No. 98/005 of 14 April 1998, Article 4(1)(e).

³ Republic of Cameroon. (2003). Law No. 2003/003 of 21 April 2003 on the safety of biotechnology. Yaoundé: Government of Cameroon.

⁴ United Nations. (1992). Convention on Biological Diversity. Retrieved from <https://www.cbd.int>

⁵ United Nations Environment Programme. (2000). Cartagena Protocol on Biosafety to the Convention on Biological Diversity. Montreal: Secretariat of the Convention on Biological Diversity.

⁶ United Nations. (1992). Rio Declaration on Environment and Development. Retrieved from <https://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm> accessed on 14/3/2025.

⁷ Republic of Cameroon. (2003). Law No. 2003/003 of 21 April 2003 on the safety of biotechnology. Yaoundé: Government of Cameroon.

technological risks and prescribes responsibilities for individuals, corporate bodies, and administrative authorities. Although Law No. 2003/003 is not an environmental law per se, it plays a supportive role in ensuring environmental safety through the various mechanisms.

The law mandates that individuals and organizations take precautions against environmental hazards, such as pollution, chemical spills, or industrial accidents. This preventive approach helps protect air, water, and soil quality, which are essential components of a healthy environment¹.

The law emphasizes that public authorities are empowered to implement safety standards and monitor compliance. This includes environmental safety inspections and the imposition of sanctions against non-compliant entities. These mechanisms promote accountability in environmental management². This law equally promotes public education on safety matters, including environmental risks. It indirectly strengthens the environmental awareness of citizens, encouraging their participation in environmental protection initiatives³. These instruments collectively reinforce environmental governance and the protection of ecological systems necessary for human health. Despite its importance, the implementation of Law No. 2003/003 faces challenges such as limited public knowledge of the law, inadequate enforcement mechanisms, overlapping institutional mandates.

These laws demonstrate Cameroon's attempt to create a comprehensive legal environment that supports the right to a healthy and sustainable ecosystem.

2.9 Decrees, Orders and Circulars Regulating Environmental Management

In addition to the above-mentioned laws in Cameroon are orders, decrees and circulars for the management of the environment.

Decree No. 95/230/PM of 31/04/95 creating the Commission for Municipal Waste Management

¹ Fombad, C. M. (2007). *Environmental protection and human rights in Cameroon*. Yaoundé: University of Yaoundé II Press.

² Ngoh, J. N. (2008). *Cameroon: From a federal to a unitary state, 1961–1972*. Limbe: Design House.

³ Tamo, A. M. (2012). Public awareness and environmental protection in Cameroon: Legal and institutional perspectives. *Journal of Environmental Law and Policy*, 18(2), 101–117.

in Cameroon and charged with formulating policy development for appropriate municipal solid waste management strategies in the country. More recently is the Prime Ministerial Decree No. 2012/2809/PM of September 26th, 2012, on the use of non-biodegradable plastics for manufacturing, importation and commercialization in Cameroon. This decree was later elaborated by the Joint Ministerial Order N. 004/MINEPDED/MIN Commerce of 24th October 2012 on inter alia, the ban of plastic packing less than 6 microns thick.

Also, Order No. D67/N6/NN/ST/SG/BMPHP/NNPA of 11/08/87 and Circular No. D69/ N6/NMHK/SHPA of August 1980 creating Hygiene and Sanitation Units in councils by the Ministry of Public Health for the purpose of waste collection, transportation and treatment norms of industrial, domestic waste and emptying of septic tanks. More so, the Ministry of Urban Development and Housing signed Order N^o. 00072/MINAT/MINVILL of 21/05/00 for the development and implementation of urban restructuring, management strategies, sanitation and drainage as well as defining and enforcing norms of hygiene/sanitation, collection and/or treatment of household waste.

Decree No. 2011/2581/PM of 23 August 2011, Lays down the modalities for the protection of the environment against pollution⁴. It specifies mechanisms for monitoring, controlling, and reducing pollution from industrial and domestic sources.

Decree No. 2005/0577/PM of 23 February 2005, this decree defines modalities for conducting Environmental Impact Assessments (EIA)⁵. It sets procedures and thresholds for EIAs before beginning development projects.

Decree No. 2001/718/PM of 3 September 2001 that regulates hazardous waste management in Cameroon⁶. It provides classification, control, and disposal methods for hazardous substances.

⁴ Republic of Cameroon. (2011). Decree No. 2011/2581/PM of 23 August 2011 laying down the modalities for the protection of the environment against pollution. Yaoundé: Prime Minister's Office.

⁵ Republic of Cameroon. (2005). Decree No. 2005/0577/PM of 23 February 2005 fixing the modalities for conducting environmental impact assessments. Yaoundé: Prime Minister's Office.

⁶ Republic of Cameroon. (2001). Decree No. 2001/718/PM of 3 September 2001 on the regulation of hazardous waste management. Yaoundé: Prime Minister's Office.

Decree No. 94/259 of 31 May 1994 to implement the 1994 Forestry Law, which includes environmental protection provisions. It expands on the procedures for the sustainable use of forest resources and environmental protection¹.

Order No. 0070/MINEP of April 8, 2005. This ministerial order lays down procedures for conducting environmental and social impact assessments (ESIA)². It defines the steps, required documentation, and approval mechanisms necessary for EIA compliance.

Order No. 00001/MINEPDED of February 7, 2012. This order further strengthens environmental governance by establishing guidelines for environmental audits and monitoring of development projects.³

Order No. 222/MINEF of May 25, 2001, Relates to forest exploitation and biodiversity conservation.⁴

Order No. 0073/MINEP of April 4, 2005: Addresses waste management, including hazardous waste⁵.

Order No. 00005/MINEPDED of January 2013. This order focuses on the classification and management of environmentally sensitive areas⁶.

Circular No. 007/MINEPDED of 27 April 2012. To set out guidelines for Environmental Impact Assessment (EIA) Procedures.

This circular clarifies the procedures for conducting Environmental Impact Assessments (EIA) in line with Law No. 96/12 of 5 August 1996 (Framework Law on Environmental

Management in Cameroon)⁷. It operationalizes the requirement for EIAs for development projects that may affect the environment.

Circular No. D/MINEPDED/SG/DRH/SDCC of 20 January 2014. It sets out guidelines on Environmental Audits. It equally promotes periodic environmental audits to monitor compliance of approved projects with environmental standards, ensuring sustainable use of resources⁸.

Prime Minister's Circular No. 001/CAB/PM of 12 January 2006. Aimed at the Integration of Environmental Concerns into Development Planning. This circular, mandates all ministries to integrate environmental sustainability in their sectoral development policies and plans, reinforcing cross-sectoral collaboration⁹.

Circular No. 002/MINEPDED/CAB of 15 March 2016 on waste Management guidelines for Urban (City) Councils¹⁰. It is aimed at municipalities, this circular provides guidelines for the segregation, collection, and disposal of urban solid waste in line with sustainable practices. Circular No. 005/MINATD/MINEP of 9 July 2007. It provides for collaboration between Local Councils and Environmental Services.¹¹ This circular encourages local councils to collaborate with the Ministry of Environment to promote environmental governance at the local level.

With all these laws and conventions, Cameroon can be said to be a nation fully equipped with all the legal instruments for successful collection, transportation and disposal of waste from within the areas of production. However, the

¹ Republic of Cameroon. (1994). Decree No. 94/259 of 31 May 1994 to lay down the modalities for implementing the 1994 Forestry, Wildlife and Fisheries Law. Yaoundé: Prime Minister's Office.

² Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED). (2012, April 27). Circular No. 007/MINEPDED on EIA procedures. Yaoundé: Government of Cameroon

³ Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED). (2012). Order No. 00001/MINEPDED of February 7, 2012.

⁴ Ministry of Forestry and Wildlife. (2001). Order No. 222/MINEF of May 25, 2001, relating to forest exploitation.

⁵ Ministry of Environment and Nature Protection. (2005). Order No. 0073/MINEP of April 4, 2005, on waste management.

⁶ Ministry of Environment, Nature Protection and Sustainable Development. (2013). Order No. 00005/MINEPDED of January 2013 on sensitive area management.

⁷ Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED). (2012, April 27). Circular No. 007/MINEPDED on EIA procedures. Yaoundé: Government of Cameroon.

⁸ Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED). (2014, January 20). Circular No. D/MINEPDED/SG/DRH/SDCC on Environmental Audits. Yaoundé: Government of Cameroon.

⁹ Office of the Prime Minister. (2006, January 12). Circular No. 001/CAB/PM on integrating environmental concerns in development planning. Yaoundé: Government of Cameroon.

¹⁰ Ministry of Environment, Nature Protection and Sustainable Development (MINEPDED). (2016, March 15). Circular No. 002/MINEPDED/CAB on Waste Management. Yaoundé: Government of Cameroon.

¹¹ Ministry of Territorial Administration and Decentralization (MINATD) & Ministry of Environment (MINEP). (2007, July 9). Circular No. 005/MINATD/MINEP on Local Council and Environmental Service Collaboration. Yaoundé: Government of Cameroon.

1996 law relating to environmental management which is supposed to set the pace for environmental control has the section for waste highly inadequate to adequately define procedures for waste management and control in the country. Notwithstanding, the laws can still play a recommendable role in the process of environmental management. However, escalating challenges suggests the missing link between the laws and the community of implementation.

3. Challenges Faced in Achieving a Healthy Environment in Cameroon

Notwithstanding the provisions of some substantive and procedural (environmental) rights aspects in Cameroon's legal, policy and institutional framework, as canvased above, these provisions are limited in several respects that render the legal framework ineffective, inadequate and insufficient, and they have been characterized by enormous challenges. These limitations or challenges are substantive and procedural, and they could pose significant challenges for the practical realization of environmental rights in Cameroon.

3.1 Substantive Challenges

The right to a healthy environment in Cameroon suffers a major substantive limitation. The right is restrictively distinctive and does not refer to people's health or well-being; nor does it make a link between environmental protection and the health and well-being of people. In this regard, it is unclear what a healthy environment means within the broader context of the right to a healthy environment.¹ For this reason, it might be interesting to know whether a healthy environment relates to protecting the environment from all toxic and dangerous substances and activities that have the potential to cause pollution and ecological degradation that impacts negatively on the environment, or whether a healthy environment is understood as not being excluded from other socio-economic rights which could be negatively affected, should the environment deteriorate.²

Given this context, it is evident that one cannot rely on the constitutional provision where

claims for health-related hazards are associated with an environmental activity that occurs outside the geographical sphere where a person lives. The constitutional right is merely cosmetic and highly illusory and lacks adequacy and thorough and carefully formulated content relating to its scope of application, enforcement and challenges. It has been suggested that both the Constitution and Law No 96/12 on Environmental Management obscure obfuscate the concept of the right to a healthy environment, since they are completely unclear on the meaning of a healthy environment,³ as would enable the use of human rights norms and standards to guarantee a healthy environment. In other words, it is uncertain what can be achieved by legal means towards achieving the protection of the environment. In this regard, it is apposite to note that until the law makes clear what constitutes a healthy environment and its link with human rights, the use of human rights approaches to ensure a healthy environment might not be properly achieved and properly implemented and advocated for. Perhaps the absence of guidance as to what constitutes a healthy environment in Cameroon could account for the futility of its constitutional adjudication. Relatedly, the Constitution intentionally excludes the state from any obligation to protect the environment. The position is reiterated in Law No 96/12, which bestows a duty and responsibility on citizens and corporations to protect and contribute toward achieving the improvement of the environment. It is strange that the state, which is a duty-bearer of rights under international law, does not have a corresponding obligation to protect the environment. Instead, there is only a vague promise that the state shall ensure and improve the environment, without stating exactly how the state will do this.⁴ This vagueness explains the sluggishness of the state in translating its international commitments at the domestic level, as exemplified by the enactment of incomplete environmental laws.⁵ It has been suggested that the environmental

¹ Ashukem, J. N. (2019). Exploring the effectiveness of the rights-based approach to environmental governance in Cameroon: What could be learned from South Africa. *Comparative and International Law Journal of Southern Africa*, 50(1), 64–65.

² *Ibid.*

³ *Ibid.*

⁴ Ashukem (n 67) 68.

⁵ See for example the 21 years and still counting years of the incomplete of section 7 (2) of Law No 96/12 relating to the conditions and procedures of access to information. Also see the glaring avoiding of explicit provisions for the public participation in the 1994 Forestry, Fisheries and Wildlife Law to enable concerned citizens and individuals to effectively engage and participate in forestry-related decision-making processes.

rights provided for under Cameroon's legal framework constitute a mere declaration of state intent, rather than an obligation on the state to respect, protect and fulfil people's environmental rights.¹ Perhaps the exclusion of any obligation on the state is predicated on the belief that the state itself, as a creature of laws, is among the most powerful social artifacts of humanity and, somewhat convolutedly, is equally the primary creator of law. However, without any corresponding obligation and responsibility on the state, any claim to pursue a rights-based approach to environmental protection in Cameroon could be a mere declaration of intent, as the state often undertakes or authorizes activities that negatively impact on the environment. It was inappropriate for the President to have authorized the development of a palm oil project by Herakles Farms in four biodiversity hotspots,² and the destruction of mangroves in the Bakassi Peninsula for timber with the complicity of local authorities for example. The project has had negative impacts on the environment and on the country's rich biodiversity.³ The environmental right also lacks a clear link with the overarching notion of sustainable development and clarity on what the right to future generations in relation to the environment might be, notwithstanding its definition in law No 96/12. The fact that the Constitution was adopted in 1996, after the Brundtland Report and several decades after the Stockholm Conference, means that it was reasonably expected for the government to include the all-encompassing relevant notion of sustainable development within the broader ambit of the environmental right, to the extent that it reflected the government's international

commitments.⁴ However, this is not the case, and evidently the environmental right does not apply to future generations and it is unclear how their environmental right could be protected. Similar to the Constitution and Law No 96/12 on Environmental Management, the NEMP makes no substantive and meaningful contribution to the overarching notion of the environmental right. On this basis, the substantive bases of the right⁵ to a healthy environment are inadequate and could be challenged in courts of law, where and when the interpretation of its substantive bases are called to question. Perhaps this inadequacy stems from the fact that environmental law is still in its infancy in Cameroon and has not gained traction among academics, researchers, and lawyers. To be precise sure, there is no environmental law programme, either at undergraduate or postgraduate levels in Cameroon, as there are in other countries.

3.2 Procedural Limitations

The effective exercise of the right to access to information, and specifically environmental information, remains highly questionable, particularly seeing that there is no national legislation to give effect to the right. The situation has been exacerbated by the fact that Law No 96/12 on Environmental Management has failed completely to provide for the requisite conditions and procedures of access, and only subjects them to a presidential decree, which is still to be promulgated.⁶ It has been argued that, without the requisite conditions and procedures of access, the right to access to information, including environmental information, is only illusory and elusive, to the extent that it hinders the possibility of properly enhancing environmental protection in Cameroon. It has been suggested that the practical realization of the right to public participation has been proven to be more a myth than a reality.⁷ It has been indicated that rules, processes and procedures for public participation in Cameroon are not aligned with governance practices that allow for the views of local communities to be taken into account, and that instead, they are harassed and

¹ *Ibid.*

² These are the Bayang-Mbo Wildlife Sanctuary, Korup National Park, Rumpi Hills Forest Reserve and the Bakossi National Park.

³ For details on this, see Greenpeace "Herakles Farms in Cameroon: A showcase of bad palm oil production" <https://www.greenpeace.org/usa/wp-content/uploads/legacy/Global/usa/planet3/PDFs/HeraklesCrimeFile.pdf> accessed 5 April 2019; "Palm Oil Plantation Cuts Core from Cameroon's Biodiversity" (2012) <https://www.oaklandinstitute.org/palm-oil-plantation-cuts-corecameroon%E2%80%99s-biodiversity> accessed 5 April 2024; "Cameroon's Biodiversity Hotspot in Grave Danger as Palm Oil Conglomerate Quits Sustainability Group" (2012) <http://www.panda.org/?206114/Cameroon-biodiversity-hotspot-in-grave-danger-as-palm-oil-conglomerate-quits-sustainability-group> accessed 5 April 2024.

⁴ Also see s 14(2) of Law No 96/12.

⁵ See s 7(2) of Law No 96/12.

⁶ *Ibid.*

⁷ Ashukem, J. N. (2018). Public participation in environmental decision-making in Cameroon: Myth or reality? In P. Kameri-Mbote et al. (Eds.), *Law/Environment/Africa* (pp. 357–373). NOMOS.

intimidated.¹ The effective participation of local communities and other interested and affected parties during Environmental and Social Impact Assessment processes is a major hurdle,² and it is unclear whether the ESIA is meant to facilitate and support public participation, or merely to facilitate internationally financed projects.³ Without public participation, it is difficult to actually challenge administrative decisions on environmental matters.

The 1994 Forestry Law has been criticized for failing to have an explicit provision for public participation.⁴ Yet, concession-based forest management⁵ is common and continues to play a major role in the forestry sector, as opposed to the envisaged community forest management and the forest model management meant to promote the effective and full participation of local communities in the management of forestry activities. The recent initiation and participation in the EU Voluntary Partnership Agreement (VPA)⁶ by the government was widely believed to cement the country's EU timber market, and not to emphatically promote and facilitate public participation, given that there was no participation by forest communities and indigenous people in the VPA negotiations.⁷ It is reported that stakeholders were not consulted prior to the decision made by the government to enter into the VPA

process, except for informal consultations on how to define legality, traceability and control systems during and in the pre-negotiation phase.⁸ External stakeholders find it difficult to have a say on policy-making processes, inter alia. Not surprised, communities, indigenous people and individuals, including small-scale chainsaw operators and traders, were not represented and did not participate in the meetings and decisions of the VPA, despite it being crucially important in terms of the legality of the country's forestry sector. The Ministry of Forestry (MINFOF) decides who should attend and participate at the VPA negotiation process, and this approach has excluded important participants, such as local communities who are often affected by the impact of forestry-related activities.⁹ The question arises as to why local communities and/or their representatives are systematically excluded from decision-making processes regarding forestry related activities. The answer seems to rely on the very objective and purpose of Law No 94/1, which, in addition to promoting sustainable forest management, encourages an increase in tax revenue from the forest sector through the commercial exploitation of forest produce to augment and implement radical socio-economic development that favours a forest management decentralization model.¹⁰ This indicates that the law indirectly favours large-scale forest companies and, arguably, provides and facilitates their eminent role in decision-making processes, at the expense of local communities and their representatives. This is in contradiction to the concept of community forest management, which, as indicated above, requires a participatory approach in benefit sharing and decision-making regarding forestry-related activities. Another reason could lie in the fact that the 1994 Forestry law created and instilled the concept of hegemony control over natural resources, including forestry, which prompts the need to disregard the involvement and participation of local communities in decision-making processes, while placing heavy reliance on the role of the state as the guarantor and protector of these resources. The logic here

¹ Also see Ashukem, J. C. N. (2016). Included or excluded: An analysis of the application of the free, prior and informed consent principle in land grabbing cases in Cameroon. *Potchefstroom Electronic Law Journal*, 19, 1-29; Freudenthal, E., Lomax, T., & Venant, M. (2013). The BioPalm oil palm project. In M. Colchester & S. Chao (Eds.), *Conflict or consent? The oil palm sector at a crossroads* (pp. 345–350). Forest Peoples Programme.

² For more details on the flaws in the system of public participation in Cameroon, see Ashukem (n 78).

³ *Ibid.*

⁴ Ashukem (n 78) 366.

⁵ Concession-based Forest management is the allocation of a portion of a forest to a foreign largescale timber company for the purpose of harvesting timber produce. Also see Karsenty, A. (2007). *Overview of industrial forest concessions and concession-based industry in Central and West Africa and consideration of alternatives* (pp. 1–45); Alemagi, D., & Kozak, R. A. (2010). Illegal logging in Cameroon: Causes and the path forward. *Forest Policy and Economics*, 12(8), 554–556.

⁶ http://eeas.europa.eu/archives/delegations/cameroon/documents/eu_cameroon/note_information_apv_cameroun_en.pdf accessed 13 May 2024.

⁷ Wodschow, A., Nathan, I., & Cerutti, P. O. (2016). Participation, public policymaking, and legitimacy in the EU Voluntary Partnership Agreement process – The Cameroon case. *Forest Policy and Economics*, 63, 5; Carodenuto, S. (2014). Local participation from VPA to REDD+ in Cameroon. *ETFRN News*, 55, 119.

⁸ *Ibid.*, Wodschow et al.

⁹ *Ibid.*

¹⁰ Oyono, P. R., Kouma, C., & Mala, W. (2005). Benefits of forest in Cameroon: Global structure, issues involving access and decision-making hiccoughs. *Forest Policy and Economics*, 7(3), 357–368.

is that environmental decision-making processes in Cameroon follow a top-bottom approach. It would have been appropriate if a bottom-top approach had been designed, adopted and implemented in the governance of natural resources generally, and specifically in the forestry sector, to provide for the meaningful, full and effective consultation and participation of local communities in decision-making, to the extent that their input could significantly inform and shape the final decision, thus promoting sustainable forest management¹ for the benefit of present and future generations. According to the UN Food and Agricultural Organization, participatory forest management entails processes and mechanisms that enable people (local communities), with a direct stake in forest resources, to become part of decision-making processes in all aspects of forest management, including policy formulation processes.² Thus, participatory forest management is vital and a necessary prerequisite for sustainable forest management,³ particularly as it serves to ensure that the socio-economic, environmental, cultural and ecological values of local communities generally, and specifically those relating to the use and management of community/concession-based forests, are fully considered. This approach would have been appropriate had the state strictly applied and implemented the concept of concession-based forest management envisaged in the 1994 forestry law. Regrettably, this is not the case.

On land matters, Ordinance No 76/166 provides for contradictory provisions for public participation in land-related matters, and it is not clear how and the extent to which the public are provided a chance to become involved in these decision-making processes. The lack of an explicit and broadly formulated provision for the right to access to justice demonstrates the deliberate failure on the part of the state to meet its international human rights obligation to

respect, protect and fulfil the fundamental rights and freedoms of its people at the domestic level,⁴ including the environmental right.

4. Conclusion

Axiomatically, an inextricable relationship exists between human rights and the environment, for which human rights norms, principles, standards and approaches remain crucially relevant for ensuring environmental protection and national legislation that professes the use of such an approach, is worthy of praise in this current state of global ecological degradation, largely perpetrated by human-induced activities. Although legal questions are fundamentally relevant and decisive for the forging of an effective legal framework to properly protect the environment, one cannot ignore the fact that Cameroon's legal framework highlights some prospect for using and following a human rights approach to environmental protection. While such prospect exists, it needs to be complemented with laws that are complete and sufficient laws that would adequately and proactively ensure a significant paradigm shift to environmental protection. As shown above, the current legal framework suffers from both substantive and procedural deficiencies and arguably falls short of redressing environmental protection by means of human rights claims. These shortcomings illuminate some of the significant challenging tensions in domestic legal relationships between human rights and environmental protection. While the Preamble in the Constitution provides for the right to a healthy environment, it was clearly established that the constitutional guarantee was limited and therefore problematic, since it exonerates the state from any social justice and moral responsibility relating to environmental protection. It was argued that the right therefore remains highly abstract. Moreover, a certain standard of environmental quality cannot be ensured by the state, as it currently has no obligation to take measures to control pollution and other environmental degradation that might negatively affect human health and private life. Presumably, such an obligation on the state, as there is on citizens, could significantly augment environmental protection and help to promote the rule of law in that context, given the state would be directly accountable for failing to

¹ Alemagi, D., Hajjar, R., Tchoundjeu, Z., & Zozak, R. A. (2013). Cameroon's environmental impact assessment decree and public participation in concession-based forestry: An explanatory assessment of eight forest-dependent communities. *Journal of Sustainable Development*, 6(10), 8.

² FAO. (2012). Website on Participatory Forestry. <http://www.fao.org/forestry/participatory/en/> accessed 13 May 2024.

³ Kozak, R. A., Stetic, W. C., Harshaw, H. W., Maness, T. C., & Sheppard, S. R. J. (2008). Public priorities for sustainable forest management in six forest-dependent communities of British Columbia. *Canadian Journal of Forest Research*, 38(12), 3071–3084.

⁴ Ashukem (n 29) 244.

regulate environmental degradation.¹ Without such an obligation, it is impossible to hold the state accountable for its actions or failures to act.

The right to public participation needs to be explicitly provided for in the 1994 Forestry Law, and it also needs to be properly reformulated and reconceptualized in the ESIA and Ordinance 76/1. The state should urgently enact the enabling decree that provides for conditions and procedures of gaining access to information so as to permit ordinary people and private bodies to effectively protect the environment and provide clarity on what exactly constitutes a state security concern. It is evident that a review is required of Cameroon's current legal framework which would address the inadequacies, ineffectiveness and insufficiencies and provide improved prospects for effectively connecting human rights and the environment. Without such a rigorous review, it would be practically difficult to effectively use human rights norms, standards, principles and approaches to ensure environmental protection in Cameroon.

Therefore, it is urgent to address these shortcomings in order to properly connect the linkages between human rights and the environment, and in so doing, deliver an environmental friendly legal framework that protects the environmental rights of both present and future generations.

Until this is done, the human rights-based approach to environmental protection in Cameroon would remain highly in the abstract, with little prospect for protecting the environment and human rights.

5. Recommendations

5.1 *Creation of Comprehensive Environmental Management Laws*

Cameroon has a plethora of laws for the management of the environment and fostering of human rights guarantees. Legal compliance and implementation of existing documents or texts remains problematic for efficient and effective environmental management in Cameroon. There is a need for environmental law reforms that effectively combine theory and practice in the management and implementation of environmental policies.

These laws are however not comprehensive

enough especially for the contemporary world. Our national laws for instance do not mention or encourage community-based environmental management initiatives and modern management initiatives. Evolving environmental challenges necessitate a legal framework that encompasses modern and stringent environmental management practices. This new legislation should address contemporary issues, emphasizing on aspects like waste recycling procedures, community-based environmental management and involvement initiatives, and the construction of environmentally sound landfills. Such a law would provide a robust legal foundation for sustainable environmental management practices, aligning with both international standards and local needs. One of such innovations which should be incorporated and encouraged by law makers is recycling. This is a sustainable approach to pollutants management to curb environmental pollution, reducing the overall burden on the environment. The law should provide for recycling practices in its pollutant's reduction management strategy. This should be followed by the establishment of recycling centres or partnerships with existing recycling facilities to process recyclable materials. This initiative not only mitigates environmental impact but also creates economic opportunities within the recycling industry.

5.2 *Source Separation of Pollutants*

Source separation enhances the potential for recycling and sustainable pollutants management. Source separation is the process of sorting and separating different types of waste materials at the point of generation, such as homes, businesses, or institutions. This typically involves separating materials like paper, plastic, glass, metal and organic waste into designated containers for recycling, composing, or proper disposal. The implications of not practicing this, results in landfills and can make it difficult and costly to properly recycle or dispose of the materials. The state should introduce source separation of waste as an option in major towns, emphasizing the importance of segregating recyclables from general waste. Labelled trash cans could be provided to households, businesses, and public spaces to facilitate easy sorting. This initiative aligns with urban agriculture trends, promoting the recycling of domestic waste for manure production and energy generation and can lead to reduced waste going to landfills, increased rates of

¹ Also see Boyle (n 2) 613.

recycling and composting and more efficient use of resource and will resolve the issues of erosion and soil degradation and safeguard human habitats and reduce diseases.

5.3 Community Engagement and Education

The state should conduct awareness campaigns to educate the community about the importance of proper environmental use and the environmental consequences of improper environmental management, sustainable use of biodiversity and natural resources to prevent its loss, appropriate environmental practices to safeguard the environment for all. Communicative instruments such as awareness raising campaigns and educational programmes on pollution and other environmental harmful practices should be given priority.

In Cameroon, there is shortage of comprehensive public awareness campaigns and educational programs focused on environmental management. Without consistent messaging and outreach efforts and sensitization, many Cameroonians are not abreast of the environmental and health implications of improper environmental management. It is therefore crucial to invest in educational initiatives that target all segments of the population, including schools, communities and businesses. Collaboration between government, agencies, non-governmental organizations, and local communities will be essential in promoting a culture of environmental responsibility and sustainable environmental management. This will foster a sense of responsibility among residents through community programs, encouraging active participation in environmental harm reduction and appropriate initiatives. Capacity building programmes could help to enhance local knowledge and capacity to manage the environment more effectively.

5.4 Provision of Trash Cans

It has been noticed that one of the major challenges in effective soil, air and water pollution is the lack of Trash cans. The state and the Councils should collaborate with service providers to distribute sufficient and strategically placed trash cans throughout communities in towns. Furthermore, the provision of trash cans is supposed to be commensurate to the population size of the area. Most often, trash cans meant for home use, are seen at major junctions of quarters thereby defeating the purpose and need to enhance a

healthy and diseases free environment. This poses a lot of problems as they get full within minutes of placing them. The only option left is for residents to place the waste besides these trash cans. Increased trash cans will facilitate convenient waste disposal and discourage littering, contributing to a cleaner environment and reducing hazards associated with improper environmental management.

5.5 Encourage Research and Innovation

The State should encourage research and innovation in environmental management practices, exploring sustainable and environmentally friendly solutions. This could be done by collaborating with research institutions to develop and implement innovative environmental harm reduction and enhancement technologies. This research could go a long way to identify and develop innovative environmental management technologies that are suitable to the local context. For example, the government could encourage research which facilitates waste-to-energy technologies and innovations, alternative energy sources like green energy. By fostering the culture of research driven problem solving and embracing innovative solutions, the Cameroonian government can make significant strides towards sustainable and effective environmental management practices.

5.6 Access to Justice and Right Justiciability

Enforce existing laws and directives on environmental management and enforcement of the rights to a healthy environment in Cameroon by building the capacity of government officials especially judges to be able to entertain environmental mismanagement issues appropriately and equally to expand the scope of locus standi to represent individual interests in the prosecution of environmental harmful practices and responsibilities upon individuals who cause harm to the environment, thereby making this right justiciable and will enhance a healthy environment. There is need for the state to enable and facilitate public access to relevant environmental information through clear conditions and procedures of access, by enforcing good governance practices and heavy penalties for defaulters, would serve as a deterrent to would be culprits of environmental crimes.

5.7 Conservation

Implement environmental preservation projects

with the support of technical and financial partners and equally conserve the environment especially for medicinal plants and biodiversity and endangered species from extinction and reforestation policies. Set up a mechanism for the systematic control of pollution and discharges into surface and groundwater.

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An Analysis of Oregon's Process of Defending Right to Die in Its Death with Dignity Act: From Tackling External Challenges to Making Internal Changes

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doi:10.56397/JRSSH.2025.07.03

Abstract

The right to die movement in the United States has evolved through two distinct phases: initially recognizing the right of terminally ill patients to refuse treatment, followed by the advocacy for death with dignity, often involving physician-assisted suicide. While the right to refuse treatment gained acceptance in the 1980s, the concept of death with dignity remains contentious to this day. Oregon has been a pioneer in this field, enacting the Death with Dignity Act, the world's first law allowing physician-assisted death. Nevertheless, research has predominantly focused on the act's impacts rather than its evolution and new changes. Thus, this study aims to explore two key questions: What are the changes in Oregon's Death with Dignity Act? And what has made these changes possible? This study reveals that for one thing, from *Lee v. Oregon* (1994-1997) to *Oregon v. Gonzales* (2001-2006), Oregon has consistently upheld death with dignity and secured favorable outcomes in Supreme Court rulings; for another, amendments to the act, such as Senate Bill 579 (2019-2020) to House Bill 2279 (2023), have prioritized the interests of Oregon's residents while effectively countering challenges from the federal government. This study suggests that these transformations involve individual, state, and federal levels, emphasizing individual rights, legal precedents, and federalism. However, the Death with Dignity Act only applies to patients capable of communication, indicating ongoing efforts needed.

Keywords: U.S. Right to Die Movement, death with dignity, Oregon, federalism

1. Introduction

The right to die movement in the United States has evolved continuously with progress of the civil rights movement post World War II and advancements in medical technology (Whiting, 2001). Marked by the Cruzan case, the right to die movement can be divided into two main

phases (Huang & Chen, 2012). The first phase aims to change societal perceptions of death and to legalize the right of terminally ill patients to refuse treatment. The second phase advocates for the concept of death with dignity and seeks to legalize the right of terminally ill patients to request physician-assisted suicide. By the 1980s,

American society had generally accepted the right to refuse treatment. However, as for the second phase, debates over death with dignity persist in American society to this day (Sullivan, 2003).

Death with dignity related cases in the United States have been abundant since 1990, starting from lawsuits against Dr. Kevorkian, to New York's *Vacco v. Quill* and Washington's *Washington v. Glucksberg*, and further to Oregon's *Lee v. Oregon* and *Oregon v. Gonzales*. Decisions by various levels of American courts have to some extent propelled the dynamic development of the death with dignity movement in the legal realm. Throughout this process, it is evident that while the Supreme Court of the United States has implied a right to die through ratifying a right to refuse medication, it refuses to extend constitutional protection to a robust right to die (Schultz, 2010). Additionally, the Court has deferred the right to die debate to individual states (Gostin, 1997).

Oregon, among all states in the United States, has been a pioneer in the legislative field of death with dignity. It is the first jurisdiction in the U.S. to authorize and regulate aid in dying (Dresser, 2024). Serving as an experiment state, Oregon's legislation in this area can provide inspiration for other states. Therefore, this study intends to focus on Oregon's process of defending the right to die, specifically exploring the Oregon's Death with Dignity Act.

The Death with Dignity Act was passed by a ballot initiative in Oregon in 1994, allowing terminally ill individuals to end their lives through the voluntary self-administration of lethal medications, expressly prescribed by a physician for that purpose (Oregon Health Authority, 2023). In October 1997, the Death with Dignity Act was officially implemented, making it the first law in the United States, and even the world, to allow physicians to provide medical assistance in dying to qualified patients (Bosshard et al., 2002).

In the history of the Death with Dignity Act, the formulation process has encountered several external legal challenges and internal legislative changes.

Following the passage of the act in 1994, it faced its first external challenge, *Lee v. Oregon*. Subsequently, in 2001, the second major external challenge, *Oregon v. Gonzales*, arose. These two primary external challenges shape the

emergence of the Death with Dignity Act.

Since the Court's ruling in 2006, no further challenges have been made to Oregon's Death with Dignity Act. With the conclusion of external challenges, the Act remained unchanged until 2019, when it began the internal optimization process. Internal changes to the Death with Dignity Act primarily include Senate Bill 579 and House Bill 2279. These two major internal changes have facilitated the growth and maturity of the Death with Dignity Act.

Therefore, this study attempts to examine Oregon's process of defending the Right to Die in its Death with Dignity Act, focusing on the act's external legal challenges such as *Lee v. Oregon* and *Oregon v. Gonzales*, as well as internal legislative changes including Senate Bill 579 and House Bill 2279.

This study holds practical significance for two main reasons. Firstly, by analyzing how Oregon navigated external legal challenges and internal legislative changes to uphold its Death with Dignity Act amid shifting legal landscapes and political climates, the study informs discussions on state-federal dynamics in regulating end-of-life practices. Secondly, by examining the evolution of Oregon's Death with Dignity Act, including changes in eligibility criteria and procedural requirements, the study may well provide valuable lessons and considerations for other U.S. jurisdictions considering similar legislation or facing legal challenges related to physician-assisted death.

Moreover, this study also harbors some academic importance, which is covered in detail in the next section.

2. Literature Review

2.1 U.S. Right to Die Movement

Regarding the right to die movement in the United States, research both at home and abroad encompasses diverse perspectives, including the evolution of the movement, the significance of legal processes in its development, and debates surrounding the death with dignity movement. For instance, Lim (2005) traces the evolution of the right to die movement from its beginnings in 1976 all the way to 2005, focusing on the Quinlan and Cruzan cases, and discussing the events leading up to the Supreme Court's 1997 rulings. Price and Keck (2015) explore the dynamic through historical case studies on the

right to die and abortion, considering that avoiding litigation doesn't necessarily reduce courts' involvement, disagreeing with detractors who argue against using courts for social change. Garrow (1998) focuses almost exclusively upon the law and the politics of death with dignity in America, arguing that the proportion of Americans who believe that the terminally ill should be able to make their own most fundamental choices at the end of life makes the debate inescapable. Behuniak (2011) reviews how "dignity" serves both as a divisive wedge in the debate over the right to die but also as a value that can open the way to productive discourse. Through analyzing the views of Compassion & Choices and Not Dead Yet, he concludes that the two organizations are more parallel than contrary. Among these, the death with dignity movement is the focus of study for most scholars.

In addition to separate studies on the movement's evolution, legislation, and debates, there are also comprehensive integrated studies. For example, Huang Xianquan and Chen Xuejuan (2012) provide introductions to the U.S. right to die movement and death with dignity movement, including the backgrounds, meanings, and influences, analyze the moral and rights disputes surrounding euthanasia, and discuss the U.S. Supreme Court's recognition of the legalization experiments of physician-assisted suicide in states like Oregon.

2.2 U.S. Death with Dignity

Concerning the death with dignity movement in the United States, research can generally be divided into two categories based on different research themes. One category primarily analyzes death with dignity itself, while the other category explores the manifestation of the death with dignity movement in specific states in the United States, such as Washington, Oregon, Montana, California, etc.

In the first category, for example, Gentzler (2003) assesses different notions of dignity that are operating in many arguments for the legalization of assisted suicide in America, and finds them all to be deficient. Player (2018) explores death with dignity and mental disorder, arguing that when a person requests the assistance of a physician to hasten death, the only concern should be whether he or she is competent to consent to physician-assisted dying.

In the second category, for instance, Wang and Elliott (2016) examine the amyotrophic lateral sclerosis patients who sought medication under the Washington State Death with Dignity Act since its inception in 2009. Ganzini and Nelson (2000) discuss physicians' experiences with the Oregon Death with Dignity Act through questionnaires. Dallner and Manning (2004) explore the right of a terminally ill Montanan to medical assistance in hastening death by reviewing the argument that this right arises under the right to privacy section of the Montana Constitution. Sun Yelong (2017) employs the examples of legislation passed in California, USA, and South Korea regarding the autonomy of terminally ill patients to analyze the typification of patient autonomy and its legal significance.

Among these, as for the first category, scholars generally converge on their viewpoints in research on the debate surrounding death with dignity. They typically do not deviate significantly from dichotomous camps such as liberal and conservative, pro-choice and pro-life, etc. Nevertheless, as for the second category, there seems to be more research space available. From related studies, it is evident that among the various states in the United States, Oregon is a pioneer, whose Death with Dignity Act has significantly stimulated the accelerated development of the death with dignity movement in the United States. It is an unavoidable subject in the research and receives great attention in related studies. Therefore, this study attempts to focus on Oregon's Death with Dignity Act.

2.3 Oregon's Death with Dignity Act

Concerning the literature on Oregon's Death with Dignity Act, scholars examine the number and characteristics of people accessing assisted deaths (Regnard et al., 2023), the impact on physicians (Ganzini et al., 2001), the public discussion upon Oregon's Death with Dignity Act (Purvis, 2012), and etc. Of these, there is a richer discussion around the influence of the act, and less research on the evolution of the act itself. Accordingly, this study would like to explore more about Oregon's Death with Dignity Act's own evolution.

Regarding the research on the act's own evolution, scholars focus on several topics including analyses of the case Gonzales v. Oregon (Rich, 2007), comparative studies of the

development of Oregon's Death with Dignity Act in 1994 and 1997 (Purvis, 2012), experience of Oregon's Death with Dignity Act (Hedberg et al., 2009) and so forth. Among these, there are more studies centered around single points of change in the development of the act and a lack of analysis of the evolution as a whole. Hence, this study attempts to pay more attention to the evolution of Oregon's Death with Dignity Act as a whole.

Additionally, it is worth noting that some scholars have analyzed and summarized Oregon's experience utilizing the twenty-year time-frame following the passage of the act (Hedberg & New, 2017). For example, Shen Wen and Lu Chunli (2018) explore the official report data on Oregon's implementation of the Death with Dignity Act over 20 years, providing evidence and experience for the related debates and ethical issues in American society. They calculate the death rates of death with dignity from 1998 to 2017 based on annual reports from the Oregon Health Authority and summarize patient characteristics, underlying diseases, death with dignity processes, and participating physician features. However, for one thing, their research does not keep up with the new changes in the Act in 2023, and for another, their studies focus more on the implementation level of the Act.

Therefore, this study intends to fill the gaps by focusing on the formulation level of the act in the time-frame from 1994 to 2023, analyzing the process of Oregon defending right to die in its Death with Dignity Act through the lens of Oregon's legal efforts from tackling external challenges, including *Lee v. Oregon* and *Oregon v. Gonzales*, to making internal changes, such as Senate Bill 579 and House Bill 2279.

3. Research Questions

Oregon's Death with Dignity Act has faced several challenges and changes through its establishment and development, partly because the nature of assisted suicide implied by death with dignity has traditionally been unacceptable in American societal and cultural traditions. However, from 1994 to 2023, Oregon's Death with Dignity Act has steadily progressed for nearly 30 years, also demonstrating the momentum for development. This indicates that Oregon's Death with Dignity Act has a certain vitality, and its dynamic evolution is inspirational. Hence, two questions emerge in

this study:

- (1) What are the changes in Oregon's Death with Dignity Act?
- (2) What have made these changes possible?

In a bid to explore these two questions, this study adopts a qualitative research method and strives to obtain first-hand data from official sources. The materials needed for this study mainly include the cases *Lee v. Oregon* and *Oregon v. Gonzales*, as well as the legislation Senate Bill 579 and House Bill 2279. For the two cases, this study obtains opinions from the Oyez website and the Justia website. Regarding the two bills, considering that the Oregon Death with Dignity Act requires the Oregon Health Authority to publish annual statistical reports, this study analyzes relevant documents obtained from the Oregon government's official website, the Oregon Health Authority website, and the Oregon State Legislature website, including annual reports and the Oregon revised statute.

Concerning the first research question, the changes in Oregon's Death with Dignity Act are classified and arranged in a chronological order, focusing on four main points: *Lee v. Oregon*, *Oregon v. Gonzales*, Senate Bill 579, and House Bill 2279. This section is structured around three main aspects, including from *Lee v. Oregon* (1994-1997) to *Oregon v. Gonzales* (2001-2006), from Senate Bill 579 (2019-2020) to House Bill 2279 (2023), and from external challenges (*Lee v. Oregon*, *Oregon v. Gonzales*) (1994-2006) to internal changes (Senate Bill 579, House Bill 2279) (2019-2023).

Regarding the second research question, the factors contributing to these changes are discussed based on the analysis of the first question. The exploration is conducted from three dimensions, involving emphasis on individual rights, tendency of legal precedents, and balance of federalism.

4. What Are the Changes in Oregon's Death with Dignity Act

According to the chronological order of occurrence, from 1994 to 2023, Oregon's Death with Dignity Act mainly experiences such four key changes as the *Lee v. Oregon* case from 1994 to 1997, the *Oregon v. Gonzales* case from 2001 to 2006, Senate Bill 579 in 2020, and House Bill 2279 in 2023.

To take a step further, considering that Oregon's Death with Dignity Act did not undergo any

changes from 2007 to 2019, and prior to this period it primarily faced external challenges, while after this period it mainly underwent internal adjustments, this study classifies *Lee v. Oregon* and *Oregon v. Gonzales* as external legal challenges, and Senate Bill 579 and House Bill 2279 as internal legislative changes.

4.1 From Lee v. Oregon to Oregon v. Gonzales

In the first external challenge *Lee v. Oregon*, the case was adjudicated by two levels of courts. Firstly, the District Court ruled in favor of plaintiffs, placing a temporary hold in the implementation of Oregon's Death with Dignity Act. Secondly, the Ninth Circuit Court of Appeals dismissed the case in February 1997, marking a monumental victory for Oregon's Death with Dignity Act and the medical aid in the right to die movement. And later in October 1997, the act was officially implemented (Schultz, 2010).

In the second external challenge *Oregon v. Gonzales*, the Bush administration weighed in against Oregon's Death with Dignity Act in 2001. In November 2001, Attorney General John D. Ashcroft issued an interpretative rule under the federal Controlled Substances Act (CSA), the statute regulating use of the drugs physicians prescribed under Oregon's Death with Dignity Act. Ashcroft declared physician-assisted suicide "not a 'legitimate medical purpose'" under the CSA (Justia, 2005).

In this case, three levels of courts rendered judgments. The District Court and the Ninth Circuit both held Ashcroft's directive illegal. The Supreme Court, concerning the question whether the CSA authorized the Attorney General to ban the use of controlled substances for physician-assisted suicide in Oregon, ruled the Attorney General's attempt to intervene in medical aid in dying exceeded his authority, affirming the Oregon law in January 2006. The Court did not address the constitutional issues. Thus, the right to die remained neither constitutionally rejected nor accepted, but as a state matter.

As seen from both *Lee v. Oregon* and *Oregon v. Gonzales*, Oregon's stance remained unchanged, steadfastly asserting the legality of death with dignity within the state. When faced with external challenges, Oregon's bottom line remained unwavering. This could become an advantage during the Supreme Court's deliberations, because the essence of the

Supreme Court's ruling was not to resolve the issue of death with dignity but to address the balance between state and federal law, leaving the decision of whether to continue the Death with Dignity Act to Oregon itself.

Oregon's stance is largely represented by the people of Oregon. Before *Lee v. Oregon*, Oregon's Death with Dignity Act was affirmed by a ballot initiative in 1994 by 51% of voters, and the Act was therefore passed (Cohen-Almagor & Hartman, 2001). Prior to *Oregon v. Gonzales*, Oregon legislators put a repeal, known as Measure 51, which voters rejected by almost 60% in November 1997 (Murphy, 2012). This demonstrates that before both cases, Oregon's Death with Dignity Act underwent a direct democratic process led by the people of Oregon.

Moreover, unlike the situation in *Lee v. Oregon*, federal forces participated in the external challenge to Oregon's Death with Dignity Act via *Oregon v. Gonzales*. From *Lee v. Oregon* to *Oregon v. Gonzales*, the forces challenging Oregon's Death with Dignity Act shifted from internal dissenters within Oregon to opponents within the United States at large, indicating a continual strengthening of external challenges. This also suggests, in reverse, the far-reaching impact of the formulation of Oregon's Death with Dignity Act within the United States.

4.2 From Senate Bill 579 to House Bill 2279

As for the first internal change since 2019, Senate Bill 579 went into effect January 1, 2020, marking the first time Oregon's legislators amended a medical aid-in-dying law to reduce barriers. It has two main contributions, including it creating exception under Oregon's Death with Dignity Act to 15-day waiting period for patient with less than 15 days to live and it creating exception to two-day waiting period for patient with less than two days to live.

Specifically, for example, in "SECTION 2, ORS 127.840. §3.06.(2)", it reads that "if the qualified patient's attending physician has medically confirmed that the qualified patient will, within reasonable medical judgment, die within 15 days after making the initial oral request under this section, the qualified patient may reiterate the oral request to his or her attending physician at any time after making the initial oral request." (Oregon State Legislature, 2019)

As for the second internal change, House Bill 2279, serving as the latest amendment

introduced, repeals residency requirement in Oregon's Death with Dignity Act (Oregon State Legislature, 2023).

According to the requirements of the prescription for lethal medications in Oregon's Death with Dignity Act, the act requires that a patient must be: (1) an adult (18 years of age or older), (2) a resident of Oregon, (3) capable (defined as able to make and communicate health care decisions), and (4) diagnosed with a terminal illness that will lead to death within six months (Oregon Health Authority, 2022).

From the above, it is evident that both in Senate Bill 579 and House Bill 2279, the amendments to Oregon's Death with Dignity Act revolve around the interests of the people of Oregon, particularly those of eligible patients under the act. In the first internal adjustment, Senate Bill 579 addresses an important procedural detail regarding the possibility of patients facing situations that did not align with rigid time constraints. In the second internal adjustment, House Bill 2279 focuses on patient needs at the requirement rules level, relaxing the insignificant restriction of residency solely within Oregon.

From Senate Bill 579 to House Bill 2279, it reflects the continuous deepening of internal changes to Oregon's Death with Dignity Act. The amendments to the details of the bills also indirectly confirm the practical implementation of the Death with Dignity Act in Oregon. The adjustment of the understanding level of the act through its practice highlights the significance. Therefore, Oregon's Death with Dignity Act may well serve as a guiding and inspirational example for other similar processes or states that may be lagging behind.

4.3 From External Challenges (Lee v. Oregon, Oregon v. Gonzales) to Internal Changes (Senate Bill 579, House Bill 2279)

From *Lee v. Oregon* to *Oregon v. Gonzales*, Oregon's stance remains unchanged, affirming the legality of death with dignity within the state. This stance proves advantageous during the Supreme Court's ruling process. And Oregon's position is largely represented by the people of Oregon, reflecting the direct democracy led by the state's residents.

And from Senate Bill 579 to House Bill 2279, amendments to Oregon's Death with Dignity Act at the procedural and requirement levels revolve around the interests of Oregon's

residents. Such continuous deepening of adjustments to the act's internal details can indirectly confirm its practical implementation in Oregon.

It is worth mentioning that the escalation of external challenges, marked by the involvement of the federal government, occurs. However, due to Oregon's steadfast legislative stance, these external challenges are neutralized. And from external challenges to internal changes, represented by Oregon's Death with Dignity Act, a certain balance is achieved between Oregon state law and federal law, which has propelled the progress of Oregon's death with dignity movement and has also contributed to the peak of the death with dignity movement nationwide in the United States.

5. What Have Made These Changes Possible?

Based on the analysis of changes in the previous section, this section explores the factors that make the changes possible from the perspectives of different levels of actors. The discussion mainly focuses on three dimensions, including the individual level, the state level, and the federal level. Specifically, these factors respectively highlight the emphasis on individual rights, the tendency of legal precedents, and the balance of federalism.

5.1 Emphasis on Individual Rights

America's social and cultural tradition underscores the respect for individual rights and dignity (Glensy, 2011). This tradition, rooted in ideals such as liberty, equality, and justice, is enshrined in such key documents as the Declaration of Independence and the Bill of Rights, encompassing the belief in personal autonomy and the right to self-determination (Baer, 2009). The importance of individual rights is as always serving as essential components of US democratic society.

Direct democracy is one of the features of American democratic society, embodying the tradition of valuing individual rights and thus being highly advocated. Direct democracy in the United States refers to a form of government where citizens have the opportunity to participate directly in the decision-making process, particularly in matters of legislation and public policy (Reilly, 2009).

Citizens' initiatives can be one of the primary mechanisms of direct democracy (Cronin, 1989). In some states of the United States, citizens have

the ability to propose new laws or amendments to existing laws, via the ballot through a petition process.

Notably, direct democracy practices vary among states, some states embracing it more extensively than others. Of them, Oregon has a long history of applying initiatives. It is because of citizen initiatives that the death with dignity movement in Oregon has established a clear legislative direction (Haider-Markel, 2008).

As for its Death with Dignity Act, Oregon has demonstrated significant public support and acceptance for the act since its enactment. Public opinion polls consistently show a majority of Oregonians in favor of the law, reflecting a broader cultural acceptance of end-of-life autonomy and patient-centered care in the state. For instance, in 1994, the act was affirmed by ballot initiative by 51% of voters and then was passed; and in 1997, voters rejected the repeal Measure 51 put by Oregon legislators by almost 60% (Easterly & Tatalovich, 2021).

Besides, as for the internal legislative changes of Oregon's Death with Dignity Act, the revisions to the provisions demonstrate a concern for individual rights. From Senate Bill 579 to House Bill 2279, the amendments, ranging from procedure rules to requirement rules, include making waiting periods more flexible to accommodate the specific needs of individual patients and expanding the beneficiaries of the law from Oregon residents to residents of the United States.

Overall, the legal foundation of Oregon's death with dignity movement can be based on civil rights and freedom. Furthermore, the ongoing internal improvements to the Death with Dignity Act also reflect a commitment to upholding individual rights.

5.2 Tendency of Legal Precedents

As for the external legal challenges confronted by Oregon's Death with Dignity Act, from *Lee v. Oregon* to *Oregon v. Gonzales*, the Death with Dignity Act manages to overcome obstacles and move forward. Apart from the victories in these two cases, the influence of legal precedents cannot be sneezed at.

However, oddly, in the case of *Washington v. Glucksberg*, the Ninth Circuit Court of Appeals' ruling in March 1996 had a positive impact on Oregon's case in February 1997 likewise within the Ninth Circuit. However, in a later

development in *Washington v. Glucksberg*, the ruling by the U.S. Supreme Court overturned the Ninth Circuit's decision. Nonetheless, it seems that *Oregon v. Gonzales* was not affected again by such a precedent, as the U.S. Supreme Court's ruling upheld the decision of the appellate court (Justia, 1997).

To address this puzzle, this study intends to analyze the specific opinions of the four cases.

Examining precedent cases such as *Vacco v. Quill* in New York (Justia, 1997) and *Washington v. Glucksberg* in Washington (Justia, 1997), this study finds that the two Supreme Court rulings are both favorable to the respective states. For example, in both New York and Washington, the Supreme Court upheld laws prohibiting assisted suicide, aligning with the states' own decisions.

From the opinions in the precedent cases, it is evident that the focus is not primarily on the debate over death with dignity itself but rather on whether the state laws are unconstitutional. Specifically, this can manifest in different interpretations of the Fourteenth Amendment's Due Process Clause and Equal Protection Clause. For instance, in *Vacco v. Quill*, the Supreme Court answers negatively to the question "did New York's ban on physician-assisted suicide violate the Fourteenth Amendment's Equal Protection Clause?" The Court held that New York's ban was rationally related to the state's legitimate interest in preserving human life (Oyez, 1997). Similarly, in *Washington v. Glucksberg*, the Court answers negatively to the question "did Washington's ban on physician-assisted suicide violate the Fourteenth Amendment's Due Process Clause by denying competent terminally ill adults the liberty to choose death over life?" Employing a rationality test, the Court held that Washington's ban was rationally related to the state's legitimate interest in preserving life (Oyez, 1997).

Hence, the commonality in the two rulings is that both recognize the traditional American opposition to suicide; hence the right of physician-assisted suicide does not fall under fundamental liberty rights and is not protected by the Due Process Clause. In other words, physician-assisted suicide is not constitutionally protected.

However, when it comes to Oregon's cases, the story is different. For one thing, unlike the precedents of New York and Washington states,

which both use the term “physician-assisted suicide”, Oregon uses the phrase “death with dignity”, avoiding the word “suicide”. For another, unlike the precedents of New York and Washington states, where the states themselves prohibited death with dignity, Oregon has allowed death with dignity within the state.

Specifically, as for the external challenges faced by Oregon, namely *Lee v. Oregon* and *Oregon v. Gonzales*, the Supreme Court similarly did not directly address the legality of death with dignity practices. Instead, the focus was on whether the use of drugs by physicians was constitutional, and whether the intervention of the Attorney General was constitutional. It is evident that the Supreme Court has implicitly accepted that the decision to allow death with dignity can be determined based on the circumstances of each state.

Therefore, in summary, the authority to decide on the legality of death with dignity has been delegated to the states. New York and Washington both prohibit physician-assisted suicide within their states, hence the Supreme Court rulings reflect a dis-allowance of death with dignity. By comparison, Oregon’s state law supports death with dignity, so the Supreme Court rulings favor the formulation of death with dignity. Because the Supreme Court rulings have never focused on death with dignity itself, essentially, it is the states’ decision-making power at play. Accordingly, Oregon’s steadfast allowance of death with dignity experimentation has greatly facilitated the development of death with dignity laws within the state.

5.3 Balance of Federalism

Federalism in America refers to the division of powers between the national government and the individual state governments (Fenna & Schnabel, 2024). It is a foundational principle of the United States Constitution. Among the numerous key aspects of federalism, such three points as checks and balances, states’ autonomy and experimental flexibility are demonstrated through the evolution of Oregon’s Death with Dignity Act.

Firstly, checks and balances are embodied as the interactions between federal authority and state authority concerning the case *Oregon v. Gonzales*. Hereby, given federalism, the federal government attempts to serve as a check on state power. Specifically, Attorney General Ashcroft issued an interpretative rule under the federal

CSA, in a bid to regulate use of the drugs physicians prescribed under Oregon’s Death with Dignity Act (Oyez, 2005). According to Ashcroft, “prescribing, dispensing, or administering federally controlled substances to assist suicide violates the CSA, and such conduct by a physician... may ‘render his registration... inconsistent with the public interest’ and therefore subject to possible suspension or revocation.” (Oyez, 2005)

Secondly, states’ autonomy is also of significance within the system of federalism. In the United States, each state has its own constitution, legislature, and executive branch to administer state-level policies (Shane, 1998). Likewise, in *Oregon v. Gonzales*, part of discussion by the Supreme Court can demonstrate states’ autonomy in America. For instance, in the case, the Court also discussed the dispute’s significance for federalism. As Kennedy noted, “the structure and operation of the CSA presume and rely upon a functioning medical profession regulated under the States’ police powers... Oregon’s regime is an example of the state regulation of medical practice that the CSA presupposes.” By contrast, Ashcroft’s position would “affect a radical shift of authority from the States to the Federal Government to define general standards of medical practice in every locality.” (Justia, 2005)

Thirdly, experimental flexibility results from the power dynamics between the state authority and the federal authority. Such flexibility in federalism enables the states in America to experiment with different policies to address local needs and preferences, which may well lead to innovation (Agranoff & McGuire, 2001). Therefore, it can be said that it is the role of Oregon as a pioneering state that has played a pivotal role in increasing acceptance of death with dignity not only within Oregon but also across the entire American society. In Oregon, from citizens’ initiatives, to *Lee v. Oregon*, and then to *Oregon v. Gonzales*, legislative actions have gradually promoted the resolution of the legality issue of death with dignity within the state. In other words, against the backdrop of these prominent cases and legal challenges, Oregon takes a proactive approach to address the issue of end-of-life care through legislative action.

Moreover, in the case of *Oregon v. Gonzales*, the petitioner Attorney General Ashcroft belonged to the Republican Party. Considering that the

case occurred in 2001, which was the year of the presidential election, and the fact that the Democratic and Republican parties in the United States have different stances on the issue of death with dignity, the partisan interests of American political parties may also be one of the factors behind the obstruction of the advancement of Oregon's Death with Dignity Act to some extent. However, due to limited evidence, this factor is not elaborated on here, and further analysis is expected to be conducted in future research.

6. Conclusion

This study explores Oregon's process of defending the Right to Die in its Death with Dignity Act, paying attention to the act's external legal challenges involving *Lee v. Oregon* and *Oregon v. Gonzales*, as well as internal legislative changes including Senate Bill 579 and House Bill 2279. Through analysis of case opinions and documents related to Oregon's Death with Dignity Act, this study argues that from *Lee v. Oregon* to *Oregon v. Gonzales*, and then to Senate Bill 579 and House Bill 2279, the evolution of Oregon's Death with Dignity Act has undergone a transition from responding to external challenges to making internal changes. As of 2023, the progress of this act at the formulation level reflects an emphasis on individual rights, the tendency of legal precedents, and the balance of federalism.

Additionally, it is important to note that the eligibility requirements outlined in Oregon's Death with Dignity Act indicate that the act only protects the interests of a specific subset of patients who are capable of communicating their medical condition. However, for patients such as those in a vegetative state who lack the capacity to communicate decisions, the Death with Dignity Act currently does not apply. Oregon serving as an experimental state in the United States and the first to legislate this practice, there is currently no mature or systematic legislation specifically addressing patients who are unable to communicate decisions. This suggests that in the United States, the right to die movement, represented by death with dignity, may still have a long way to go.

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Culture of the Urban Poor in Port Harcourt Metropolis

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doi:10.56397/JRSSH.2025.07.04

Abstract

The social disparity and economic inequality created the gap between the inhabitants of both urban and rural areas. The lack of relevant skills and academic qualification(s) further created and gave birth to the word, urban poor. The drive for survival has created an urban environmental and socio-economic issues. This paper is aimed at unmasking the culture of the urban poor in Port Harcourt metropolis, investigate the activities of the urban poor in urban areas, and ascertain if their dream is achieved as they migrated. The purposive sampling technique was used. Data was collected through questionnaire administration, analyzed. And presented in a tabular form and simple percentage. The paper revealed that though most of the urban poor are unemployed, others are into businesses of all sorts and menial jobs. The study further revealed that government employees are far less than those employed by private organizations. The paper recommended, business friendly and enabling environment should be created by the government, develop and cultivate an entrepreneurial culture, in the urban area.

Keywords: urban poor, socio-economic issues, Port Harcourt Metropolis, economic inequality, urban migration

1. Introduction

The centralization of social amenities and infrastructural development in the urban areas created neglect in the rural settlements and as these actions persist over the years, it created a gap between these two settlements, and the lack of relevant skills and academic qualification(s) created the culture of the urban poor. People move from the rural area to the urban area for the purpose of having a better life.

The urban lifestyle is much more unbearable, demanding than the migrants thought. Since they are not highly skilled or have the requisite

qualifications to work in reputable establishments that will change their lives for the better, they resort to petty trading, security and other menial jobs, just to make ends meet. This paper is aimed at unmasking the culture of the urban poor.

1.1 Problem Statement

An urban area is described as a concentration of people with a distinctive way of life in terms of employment patterns and lifestyle with high degree of specialized land uses and a wide variety of social, economic and political institutions (Hartshorn, 1992). These are the

attractive points that created the movement of the rural settlers to the urban areas. In all, they are in search of a better lifestyle. The socio-economic, and political institutions co-ordinate the use of the facilities and resources in the urban areas, thus making them very complex machines, such that the rural migrants are not really equipped to fit in after migration. The consequences are upsprung of street trading, on-street trading, high-way/road hawking, "Okada" riding now Tri-cycling, prostitution, gateman jobs, pick-pockets and urban crimes. Over the years, government had not paid good attention to living conditions of the urban poor, even as the first aim of government is welfarist in nature.

According to Robert Owen, (1972), environmental conditions determine individual destinies, and to improve the lot of the individual, any reform must start with the environment, which must be up-graded and recreated to favour the individual. It is only then that thought could be given to economic considerations, whether individual or collective. This means that government should think of improving the standard of living of its citizens in the development of the environment without thinking of the economic benefits in embarking on such developments. State Governments over two decades have upgraded the urban environment without any improvement in the lifestyle of the urban poor.

1.2 Goal and Objectives of the Study

1.2.1 Goal

This paper aims at unmasking the culture of the urban poor in Port Harcourt metropolis.

1.2.2 Objectives

The objectives of the paper are to:

- ❖ Investigate the activities of the urban poor in urban area.
- ❖ Ascertain if their dream is achieved.
- ❖ Ascertain Government efforts in improving the living condition(s) of the urban poor.

1.2.3 Scope

This study looks at the culture (the way of life in the urban area) of the poor in Port Harcourt metropolis. It also looks at their activities and survival system with the aim of unmasking the culture of the urban poor.

2. Literature Review

Theoretical Framework

The optimism approach or belief system was propounded by Gabries and Thangavel, (2017). Optimism introduces one to believe or at least, hope that through the responsible use of knowledge and reason, mankind can improve existing conditions, rather than accept the status quo as the best. The optimistic approach asks, "how can things be improved or made better." More fundamentally, the optimistic approach encourages one to take control of his/her social and material destiny. This is the aspiration of the urban poor before migration, from rural settlement to the city center.

Rural-Urban Migration

Rural-urban migration is simply the exiting and entries of people from one point to the other. These actions usher in urban-growth (increase), urbanization (proportional increase of people) and the introduction of city enlargement (land mass).

Compelling Conditions for Rural-Urban Migration

The conditions which compel rural dwellers to move to the urban areas among others includes:

- ❖ Poor living conditions
- ❖ Advancement in agro production activities and applications
- ❖ Unemployment
- ❖ Lack of socio-economic amenities
- ❖ Employment
- ❖ Better life style

These conditions create an attraction, thereby pulling rural dwellers to the city. The pulling conditions are usually created by the advancement of industrial technology.

Urban Area

A city is relatively large and permanent urban settlement with advanced systems of sanitation, utilities, land use, housing and transportation. It is also characterized with residential, industrial, commercial areas and high administrative function. City and urban areas are used interchangeably in town planning or profession. According to Chimezie and Tubobereni (2011, pp. 34), a city is a human habitat that allows people to form relations with others at various levels of intimacy, while remaining entirely anonymous. City as a term may be used either for a town possessing city status or urban

locality.

Nigerian Cities and Human Qualities of Life

Cities have been viewed as engines of growth and development. Rural dwellers are pushed to the urban areas or cities because rural areas lack the essential public facilities and social amenities. Wahab's, (2001) observation on Nigerian cities namely: Port Harcourt, Lagos, Ibadan, Enugu etc. reveals that cities ordinarily should generate sufficient internal funds for urban governance and providing the required income/earnings for individuals to meet their welfare needs. Unfortunately, in these cities, the issues of degradation of the environment and human quality of life are mostly acute. Wahab cited specifically with example the areas of Sango, Agbni, Ayeye and Agodi-Gate areas of Ibadan, as areas encompassed by these conditions mentioned earlier.

Streets are characterized by slums, substandard housing and environment. Traffic congestion and transportation difficulties, increased robbery, rape and prostitution are common features of urban areas, and the opportunities for employment are very limited despite rapid growth.

Rural urban migration has overstretched social and physical facilities, in terms of adequate housing, waste disposal facilities, free flow of traffic, and access to recreational /open spaces. And all these have led to the growth and spread of slums, uncontrolled settlements and general deterioration of our environmental qualities (Mba et al, 2001; Tubobereni, 2004).

Uncontrolled urbanization has resulted in the sporadic growth of slums characterized by unsanitary environment, poverty, overcrowding, and high crime zone. Squatters have invaded every available space within the metropolis be it, schools, markets, setbacks, derelict lands, and undeveloped spaces. One of the cultures of the urban poor has taken a center stage in the metropolis, (Commercial activities): hawking, street trading, wrong loading, unloading acts, etc.) are constantly invading the right-of-way of vehicles, thereby forcing road users to form passage within the remaining less-than half of the road space which typical example is Rumuokoro Slaughter market in Port Harcourt.

Why Migration

The ultimate goal of any society is the improvement of the living standards of her

people. In Nigeria, the pattern of development is such that there is a lack of synthesis between economic development and the social well-being or general upliftment of the common people. Massive migration from rural to urban areas has tended to sharpen the social tension and exacerbate maladjustments and social imbalances in urban areas.

Among many urban dwellers is the preponderance of despair, poverty and hopelessness, as well as the growing rate of social issues such as beggary and destitution, delinquency, crime and youth unrest, while the vast and largely neglected rural areas tend to stagnate or even deteriorate, hence, intensifying misery, poverty, illiteracy and frustration (Onokerhoraye & Omuta, 1986).

Distortions in the land-use have brought chaos and near planlessness, particularly in the peripheral districts of cities. The growing housing mismatch between the "haves" and "have-nots" and the growing social problems which afflict the city are reflected in the many slums and squatter settlements around the cities today.

Our Economy, Our Traditional Occupation and Our Beliefs

The undermining of the bazaar economy has led to the displacement of traditional craftsmen. As the rural craftsmen have no other options, than to drift to the towns in search of jobs. One effect of these anomalies is one's development of a distaste for the culture of his/her origin. One of the cultures of the ruralites is the planting and production of crops for both domestic and commercial purposes, in order to meet their needs. As technology advances, these crops have to be produced in large scale and as cheaply as possible, thus leading to the gravitation of labour to the towns. The expectation that living standards are better in the cities than in the rural areas, and new generally increased the pace of migration to the urban area. Consequently, cultural and social togetherness is defeated as the population from the rural moves into the urban areas. The purpose of the drift of the rural dwellers to the city is not fulfilled, as they experience issues of lack of jobs, housing, etc. This leads to the development of the massive squatter and slum settlements which proliferate the urban areas today.

3. Methodology

3.1 Introduction

The paper discusses the research design of how data are collected and analysed (Obasi, 1999). It is an outline or a scheme that serves as a useful guide to the researcher in his efforts to generate data for his study: a blue print for data collection. This section of the paper outline discusses the sources of data, sample size sampling techniques, instruments and method of data collection and data analytical techniques.

3.2 Sources of Data

The paper is a survey research which essentially describes people's attitudes, behaviours and opinions about events and activities in the society. Primary and secondary sources of data utilized for the study. Primary data sources are

from questionnaire administration, personal interviews, and participant observation techniques, as well as secondary sources of data obtained from related reference materials and internet.

3.3 Sample Size and Sampling Techniques

Sampling means selecting a part or portion of a given population as a representative picture of the entire population, (Source National Population Commission). For this study, a purposive sampling technique was adopted to select twenty (20) communities out of the totality of the communities that made up the Port Harcourt metropolis.

Table 1. Sampled communities, questionnaire administration and retrieved

s/n	Sampled Communities	Questionnaires Administered	Retrieved
1	Eneka	8	7
2	New Road Borikri	4	4
3	Ozuoba	6	6
4	Rumuolumini	6	5
5	Mgbuoshimini	5	5
6	Borokiri	8	8
7	Elekahia	4	4
8	Main Township	10	9
9	Rukpokwu	6	5
10	Rumuola	8	7
11	Trans-Amadi	4	4
12	Amadi-Ama	6	5
13	Iriebe	6	6
14	Oroazi	4	4
15	Nkpolu	4	4
16	Ogbogoro	7	6
17	Rumuaghaolu	6	5
18	Rumualogu	6	6
19	Ozugboko	4	4
20	Igurita	8	8
Total		120	107

3.4 Instrument and Method of Data Collection

Trained field assistants were recruited from the various communities to administer questionnaires to heads of households including strangers, who live in that area. The essence is to

ensure a high level of interaction, co-operation and harmony between the interviewers and respondents. A total number of 120 questionnaires were administered to the 20 communities that were chosen in the study

sample, as shown in Table 1 above.

3.5 Data Analytical Techniques

Since this research is Descriptive, the data

collected were analysed, and presented in simple percentages and frequency table.

3.6 Study Area

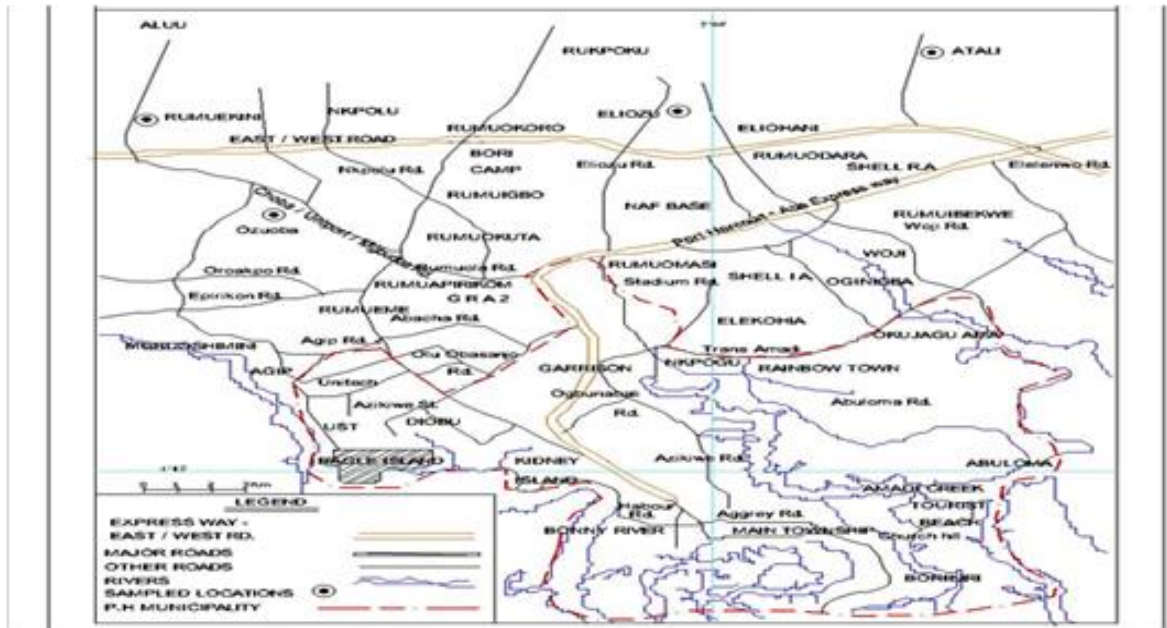


Figure 1. Map of Port Harcourt Metropolis

Source: GIS Lab., URP Department, Rivers State University.

4. Data Presentation and Analysis

4.1 Introduction

This section begins with a presentation and analysis of a cross-section of the personal data of the respondents to ascertain their nature. Other aspects of the questionnaire, such as migrants' activities, their dreams fulfilments and the ascertaining of government developmental activities in improving the life style of the urban poor, were also presented and analysed.

4.2 Presentation of Data and Analysis

Table 2. Gender of Respondents

S/N	Gender	Number of Respondents	Percentage
1.	Male	74	69.2
2.	Female	33	30.8
Total		107	100

Field Survey, 2021.

From Table 2 above, 74 respondents representing 69.2% were males, while 33 representing 30.8% were females.

The study revealed that there is a greater percentage of male migrants than that of the female folks.

Table 3. Age of Respondents

S/N	Age	Number of Respondents	Percentage
1.	18-25	28	26.2
2.	26-60	64	59.8
3.	61 and above	15	14.0
	Total	107	100

Field Survey, 2021.

From the table above, 28 respondents, representing 26.2%, were aged from 18 to 25, 64 respondents, representing 59.8%, were within the ages of 26-60 and 15 respondents representing 14.0%, from age of 61 and above. The study from Table 3 shows the age bracket on which questionnaires were administered demonstrating the active nature of the migrants.

Table 4. Educational Status of Respondents

S/N	Variables	Number of Respondents	Percentage
1.	Tertiary education	20	18.7
2.	Secondary education	42	39.3
3.	primary education	22	20.5
4.	No-formal education	23	21.5
Total		105	100

Field Survey, 2021.

Table 4 shows that tertiary education has 20 respondents which represents 18.7%, those who have obtained Secondary education, 42 respondents representing 39.3%, while primary education 22 respondents representing 20.5%, and 23 respondents representing 21.5%. The research further shows that the majority of the respondents in the study area, 39.3% obtained Secondary education which reveals the demand nature of economic consideration of these migrants in order to improve their living standards within the urban environment. The level of no-formal education which amounts to 21.5%, shows the nature of unrealistic riches they hope for, as some level of prosperity is tied to educational background.

5. Section B: Socio-Economic and Physical Data

5.1 Item 1: Investigating the Activities of the Urban Poor in Urban Areas

Table 5. How long have you been living here?

S/N	Variables	Number of Respondent	Percentage
1	Less than 5years	10	9.3
2	Over 5 years	12	11.2
3	About 20 years	19	17.8
4	Over 30 years	20	18.7
5	I was born here	46	43.0

Total	107	100
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Field Survey, 2021.

Table 5 above shows that 10 respondents representing 9.3% have lived less than 5 years within the communities, 12 respondents representing 11.2% have lived over 5 years, also 19 respondents represent 17.8% have lived for about 20 years while 20 respondents representing 18.7% have lived for 30 years and 46 respondents representing 43.0% were born in the communities.

Table 6. What is your Occupation?

S/N	Variables	No. of Respondent	Percentage
1	Business		
	Street trading	5	4.7
	Trading	6	5.7
2	Self Employed		
	Barbering shop	6	5.7
	Hair dressing	8	7.5
	Furniture making and sales	4	3.7
3	Unemployed	29	27.1
4	Employed		
	Government	7	6.5
	Private	10	9.3
5	Student	7	6.5
6	Others		
	Electrician	4	3.7
	Carpentering	4	3.7
	Meson	5	4.7
	House pillar designer	2	1.9
	Painting	4	3.7
	Decorator	3	2.8
	Security	3	2.8
Total		107	100

Field Survey, 2021.

Table 6 above revealed the occupational activities of the urban poor in the study area. Majority of the respondents with a high percentage of 27.1% are unemployed, 9.3% are employed in private the sector, 7.5% high are self-employed, government employees mark 6.5% out of the total percentage of the respondents, while students have 6.5% average percentage, under business has 5.7% and other occupations have an average of 4.7% of the total respondents.

5.2 Item 2: Ascertain if Their Dream Is Achieved

Table 7. Are you satisfied with your current condition?

S/N	Variables	Number of Respondent	Percentage
1	Yes	20	18.7
2	No	87	81.3
	Total	107	100

Field Survey, 2021.

From the Table 7 above, 20 respondents representing 18.7% were satisfied with their current state while respondents representing 81.3% were not satisfied with their condition in the urban area.

Table 8. If NO, what are you aiming at?

S/N	Variables	Number of Respondent	Percentage
1	Enlarged Town Service Transport Business	18	16.8
2	Expansion of business	27	25.2
3	Get more skill(s)	16	15.0
4	Higher degree	19	17.8
5	Get trained in ICT	14	13.1
6	Travel outside Nigeria	13	12.1

Total	107	100
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Field Survey, 2021.

The study as shown in Table 8, is that 16.8% want loans/grants for enlarged town service transport business, 25.2% needed same loan for expansion of business, 15.0% intend to get more skills, 17.8% needed sponsorship for higher education degrees, 39.3% have secondary education only as stated in Table 4, while 13.1% needed ICT training to be self-employed and 12.1% will love to travel out of the country.

From Table 8, the study further revealed that most of the rural urban migrants are expecting government's intervention in one sphere of life or the other, in order to realize their dreams of migrating to the urban area from the rural area. As many as 25.2%, and 16.8% look forward to government or its agencies or financial institutions for loans/grants in order to expand their businesses as they want to be self-employed so as to reduce the burden of unemployment on government. Whereas, 17.8% are within school age and they look forward to acquiring more qualifications, as expressed in Table 4 as most of them ended with secondary education constituting 39.3% (as in Table 4). About 13.1% want to acquire skills while 12.1% have lost hope in the country, prefer to live outside the country. This study as stated in Table 8 proves that those who migrated from rural to the urban area have in mind to excel in life and enhance their socio-economic backgrounds.

5.3 Item 3: Ascertain Government Efforts in Improving the Living Condition(S) of the Urban Poor

Table 9. Have you gotten loan/ grants from government or its agencies before?

S/N	Variables	Number of Respondent	Percentage
1	Yes	6	5.6
2	No	101	94.4
	Total	107	100

Field Survey, 2021.

From the Table 9 above, 6 respondents representing 5.6% have received loans/grants from government, its agencies, and 101 respondents representing 94.4% have never

accessed any form of loan/grants from government or its agencies.

Again, the study revealed that high number of rural-urban migrants have no access to loans/grants from government or its agencies. The study further showed that over the decades, governments have not taken a holistic reform of the environment, only on economic considerations, as against the views of Robert Owen in 1972. It is obvious that the greater percentage of the migrants (the urban poor) were within the working and very active ages, as expressed in Table 8, showing the wiliness to be self-employed.

Table 10. In what way has government policy effected your living condition?

S/N	Variables	Number of Respondent	Percentage
1.	Provision of infrastructure	12	11.2
2.	Opening up	12	11.2

	of business environment		
3.	Increase in tax	41	38.3
4.	Unfavourable policies	20	18.7
5.	Abuse of humanity	22	20.6
Total		107	100

Field Survey, 2021.

Table 10 shows that 12 respondents representing 11.2% were affected in the construction stage of infrastructure, 12 respondents represented 11.2%, of those who have opened up their business environment, 41 respondents represented 38.3% of those effected by the increase in taxes, while the victims unfavourable policies 20 respondents represented 18.7% and 22 respondents represented 20.6% of victims of abuse of humanity while carrying out government policies.

Table 11. What do you think government should do to improve your living condition?

S/N	Variables	Number of Respondent	Percentage
1	control cost of house rent/building of low cost houses	21	19.6
2	Provision of loans/grants to boost SME's	30	28.1
3	Reduction of tax	19	17.8
4	Reduce number of tax-forces and control their activities	18	16.8
5	Open-up other areas for physical development to strive	10	9.3
6	Open-up rural roads to attract development	9	8.4
Total		107	100

Field Survey, 2021.

Table 11 shows that the control cost of house rents/building of low cost houses has 21 respondents which represented 19.6%, those who have required loans/grants to boost SMEs, were 30 respondents representing 28.1%. About 19 respondents which represented 17.8% wanted the reduction in taxes, reduced number of tax-forces and their activities controlled. About 18 respondents representing 16.8% want the opening-up of other areas for physical development to strive while 10 respondents representing 9.3% and 9 respondents representing 8.4% want rural roads opened up to attract developments.

The research in Table 11 shows that 19.6% of the urban poor expects government to control the cost of house rents/building of low cost houses to mitigate the creation of slums within the urban centres, so that they can live in a better environment. About 28.1% represented those in a business environment seeking improved funding to boost their businesses in the form of loans/grants to SNEs, reduction in taxes to attract other small businesses to strive and improve the living condition of the urban poor, and the open-up of other areas for physical development which will enable other persons to be self-employed, thereby decongesting the

urban centres.

Table 12. Others, please specify

S/N	Variables	Number of Respondent	Percentage
1	Government should fight cultism and insecurity	16	14.9
2	Government should build industries	51	47.7
3	Government should provide/promote friendly business environment	40	37.4
Total		107	100

Field Survey, 2021.

Table 12 shows that 16 respondents representing 14.9% want Government to fight cultism, insecurity while and build industries, 51 respondents representing 47.7% and 40 respondents representing 37.4% said Government should provide/promote friendly business environment. The study revealed that the percentage of 47.7 expects the Government to build more industries which, in a way, will create more businesses reduce urban disturbances, promote the living standard of the urban poor. The study further revealed that Government should provide friendly business environment policy-making to encourage both private and individual business to strive, thereby uplifting the standard of living of the urban poor constitution about 37.4 of the respondents.

6. Discussion of Findings

This subsection deals with the interpretation and discussion of findings, focusing on the study objectives and the survey data presented in the proceeding section.

6.1 Item 1: Investigating the Activities of the Urban Poor in Urban Areas

The findings revealed in Table 5 shows the presence of migrants from rural to the urban areas of Port Harcourt Metropolis, in the various communities that make up the urban metropolis. A greater percentage that migrated over the years has given birth to their kinds, which represented 43.0% of the total percentage of migrants, who have lived over 30years in the metropolis. This has definitely populated the urban area and increased both economic and social demands. Again, the study further reveals in Table 6, the active nature of migrants in the urban environment. It is obvious that though the

greater percentage of the respondents were unemployed migrants, most of them were meaningfully engaged in one way or the other within the urban area. The private employees are more than government employees. The private constitute 9.3% while government employees make up 6.5% and those in various categories of schools are 6.5% also.

6.2 Item 2: Ascertain if Their Dream Is Achieved

Again, the study revealed the active nature of the urban poor, it is obvious that the greater percentage of the respondents were active and in the working class which ranged from 26 to 60. About 81.3% of respondents are not satisfied with their state of life, have very high expectations from the government, in Table 8. The study further revealed that most of the urban poor are expecting governments intervention in one sphere of life or the other, in order to establish and fulfil their dreams for migrating to the urban from the rural area. About 25.2%, and 16.8% are looking forward to government or its agencies or financial institutions for loans/grants to enable them to expand their businesses as self-employed and reduce the burden of unemployment on government. About 17.8% are within the school age and they look forward to acquiring more qualifications, as express in Table 4 as most of them ended with secondary education with 39.3% see Table 4, while 13.1 want to acquire skills and 12.1 has lost hope in the countries state that they prefer to leave the shores of this country, Nigeria. This study as stated in Table 8 has proved that those who migrated from rural to the urban area have in mind to indeed excel in life to enhance their socio-economic background.

6.3 Item 3: Ascertain Government Efforts in Improving the Living Condition(S) of the Urban Poor

The findings revealed that the urban poor are sad because they have not gotten access to loans/grants from government or its agencies (see Table 9). The study further showed that over the decades, governments have not taken a holistic reform of the environment, but had only done so on economic considerations, as against the views of Robert Owen (1972). It is obvious that greater percentage of the migrants (the urban poor) are within the working and most active ages, as expressed in Table 8 showing the wiliness to be self-employed. Also, the study found out, how government policies have affected them. The majority of the respondents in the study area, about 38.3% are lamenting over double taxation or increase in taxes, which has impoverished the migrants because they pay so much more, that there is no profit in the business. For example, in the Oil-mill market every Wednesday, about 20.6% lament the dehumanising actions by the collectors employed by government. Some argued that the government policies are never favourable to about 18.7% the urban poor the unplanned nature of infrastructural provisions has also put them to more hardship, as transport prices increase (see Table 10). However, other suggestions made by the respondents as analysed in Table 12, revealed that about 47.7% expects the Government to build more industries which in a way will create more businesses and mitigate some urban disturbances, thereby contributing to the promotion of the living standard of the urban poor. The study further revealed that Government should provide business-friendly environment during her making-policy to encourage both private and individual businesses as to strive, in order to uplift the standard of living of the urban poor as canvassed by 37.4% of the respondents.

7. Conclusions

The urban poor are mostly those who migrated from the rural to urban areas in search of better life, and have populated the urban areas and increased both economic and social demands which have created some urban and environmental issues in the metropolis. Although the study revealed in Table 6, the active nature of migrants in the urban environment, who engage in all manner of

works to make ends meet, they also seek government economic and social support to realize their dreams. However, some of the migrants constitute social and environmental nuisance in the urban area.

However, for a long time governments have not done a holistic reform of the environment, but only on the economic aspects, as against the views of Robert Owen (1972), that greater percentage of the migrants (the urban poor) are within the working and most active ages, willing to engage and be engaged. Therefore, government should consider the postulation of Robert Owen to improve the living standards of the urban poor, by so doing sustaining and improving their entrepreneurial culture in the urban area.

8. Recommendations

The following recommendations were made:

- ❖ Having developed and cultivated their entrepreneurial culture in the urban area, government should create an enabling environment for them to excel in their endeavours.
- ❖ Government or it's agencies should create a system that will enable the urban poor to access loans/grants to help to expand their businesses to become self-employed thereby reducing unemployment as well as achieve their dreams of a better life.
- ❖ Governments should take holistic reform of the environment, not only economic considerations to favour her citizens (the Urban Poor) and create an enabling environment for businesses to strive.

9. Other Recommendations

- ❖ Government should plan their projects, not to create hindrances economically to her citizens.
- ❖ The number of tax enforces in the metropolis should be reduced their excesses and nuisance controlled.
- ❖ Government should create people-oriented policies that will encourage both government and the private sector to build industries.
- ❖ Business-friendly and enabling environment should be created by government.

- ❖ Equitable taxes should be put in place the SMEs to strive.
- ❖ Government should embark on urban housing schemes in order to regulate and reduce housing cost, and address the housing needs of the urban poor.

Government should engage security agencies to tackle the issues of cultism and insecurity within the urban environment, as their activities negatively affect the business environment of the SMEs.

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Narrating Conflict in the Sahel: A Comparative Analysis of Nigerian Newspapers' Coverage of the Boko Haram Insurgency

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doi:10.56397/JRSSH.2025.07.05

Abstract

This paper explores how major Nigerian newspapers construct narratives around the Boko Haram insurgency through framing and evaluative language. Drawing on a ten-year corpus (2013–2022) of news articles from *The Punch*, *Daily Trust*, *Vanguard*, and *ThisDay*, the study analyzes how conflict is discursively represented, ideologically framed, and regionally emphasized. Through thematic mapping and appraisal theory, we find significant variation in narrative tone, attribution of moral responsibility, and engagement with humanitarian consequences. Southern newspapers tend to adopt more sensationalist and state-critical framings, while northern-based media prioritize pragmatic concerns and local experiences. Linguistic strategies such as judgment, engagement modulation, and affective scaling reveal how journalism in times of insurgency is both a site of meaning-making and an instrument of power. The study concludes by advocating for more contextually grounded, ethically reflective, and community-centered journalism in the reporting of complex national security crises.

Keywords: Boko Haram, conflict reporting, Nigerian media, discourse analysis, appraisal theory, insurgency, news framing, regional journalism, humanitarian narratives

1. Conflict, Media, and Narrative Formation in the Sahel Region

The Sahel region, a semi-arid belt stretching across northern Africa just south of the Sahara, has become emblematic of multidimensional conflict—where terrorism, political instability, climate stress, and state fragility converge. Nigeria, one of the most populous and politically significant countries in the region, has experienced protracted insurgency since the emergence of Boko Haram in the early 2000s. From its origins as a radical Salafi group in northeast Nigeria to its evolution into a violent

insurgency with global jihadist ties, Boko Haram has transformed both the physical and discursive landscapes of the Sahel.

Conflict in the Sahel is not only a material condition but also a discursive one. The manner in which violence, actors, victims, and responses are represented in media becomes central to how such conflicts are interpreted by the public and acted upon by the state. The news media plays a dual role—as both mirror and constructor of conflict. As Entman (1993) argues, media framing selects “some aspects of a perceived reality” and makes them “more

salient in a communicating text.” In the Sahel context, this means that the media not only informs but also influences public perception of insurgency, national cohesion, and state legitimacy.

Within Nigeria, the media’s role in narrating conflict is shaped by several factors: regional disparities, language ideologies, press freedom limitations, ownership structure, and political affiliations. Northern-based newspapers, for example, may portray Boko Haram and its consequences through a different lens than Southern or national publications. Similarly, state-owned media may lean toward narratives of national security and governmental efficacy, while private or opposition-linked outlets might highlight government failures, humanitarian crises, or military overreach.

Narratives surrounding insurgency are further complicated by the highly charged nature of religion and ethnicity in Nigeria. Boko Haram’s rejection of Western education and secular institutions invokes deep tensions in a country split between a Muslim-majority north and a Christian-majority south. As such, newspapers do not merely relay facts; they embed ideological positions in choices of terminology, emphasis, victimhood, and agency attribution. Terms such as “terrorist,” “militant,” “sect,” or “fighters” carry moral, political, and emotional weight, reinforcing or challenging dominant state narratives.

The construction of conflict narratives in Nigerian media thus becomes a site of contestation—between security and freedom, between national unity and regional grievance, between government framing and civilian suffering. These narratives are not fixed but shift in relation to events (e.g., the Chibok schoolgirls’ abduction in 2014), audience sentiment, and international attention. By investigating how conflict is narrated across different Nigerian newspapers, this study seeks to unpack the linguistic and ideological mechanisms that mediate public understanding of violence in the Sahel.

2. Boko Haram and the Nigerian Media Landscape

2.1 Historical Trajectory of Boko Haram from 2002 to Present

The rise of Boko Haram is inseparable from the socioeconomic discontent and religious radicalization in Nigeria’s northeast. The group’s

founder, Mohammed Yusuf, gained support among youth disillusioned by state corruption, unemployment, and the perceived moral failures of secular governance. His sermons, widely circulated via cassette tapes and early YouTube uploads, framed Western-style education (“boko”) as haram (forbidden), advocating a return to Islamic jurisprudence. Though initially tolerated by local elites, the group’s growing paramilitary structure led to confrontation with state forces in 2009.

Following Yusuf’s death in police custody—an extrajudicial act widely condemned—Boko Haram evolved into a violent insurgency. Under Shekau, the group adopted suicide bombings, village massacres, and high-profile abductions, marking a strategic shift from sectarian militancy to asymmetric terrorism. Its seizure of territory in Borno, Yobe, and Adamawa states (2014–2015) led to the declaration of a caliphate and the establishment of Sharia courts. In March 2015, Boko Haram pledged allegiance to ISIS, becoming ISWAP (Islamic State’s West Africa Province), although internal splits soon followed. This shift complicated journalistic labeling of the group—no longer simply “insurgents,” but participants in a transnational jihadist network.

By 2023, Boko Haram’s operational capacity had diminished in part due to military counterinsurgency and intra-factional violence. Yet its media presence remains significant, shaping both domestic fear and international policy discourse. The group’s strategic use of media—video executions, propaganda leaflets, and online communiqués—has forced Nigerian journalists to navigate not only physical danger but ethical dilemmas of platforming terrorist speech. This ongoing transformation of the group—and its discourse—makes it a dynamic object of media narrative construction.

2.2 Overview of Media Structure: Regional vs. National, Private vs. State-Owned

Nigeria’s media system reflects the country’s federal complexity and colonial inheritance. While press freedom is constitutionally protected under Section 39 of the 1999 Constitution, practical constraints—including political patronage, commercial pressures, and physical threats—complicate journalistic autonomy. The Nigerian Union of Journalists (NUJ) has frequently reported intimidation of conflict reporters, particularly in northeastern zones.

Regional papers such as *Daily Trust* or *Blueprint* are published primarily in the north and operate in closer geographic proximity to Boko Haram's activities. This proximity enhances access to eyewitness testimony and localized sources but also introduces safety risks and potential bias from regional political networks. In contrast, southern-based papers like *The Punch* or *Vanguard* often frame Boko Haram as a distant threat or as a national security concern, without the immediacy of lived experience.

Private ownership tends to afford more editorial freedom but also opens space for sensationalism and ideological bias, particularly during electoral cycles. State-owned outlets such as *The Nigerian Observer* or *The Voice* tend to echo official narratives and emphasize national unity, often avoiding content that critiques the military or federal response. These editorial orientations significantly influence the symbolic language used in headlines and articles—e.g., referring to Boko Haram fighters as “terrorists” (aligning with global discourse) or “gunmen” (a more neutral or regionally coded term).

2.3 Newspaper Selection Rationale: *The Punch*, *Daily Trust*, *Vanguard*, *ThisDay*

The chosen newspapers offer a balanced corpus for comparative discourse analysis across Nigeria's media topography:

- The *Punch* (Lagos-based, private): Known for its critical reporting, accessible writing, and wide national readership, *The Punch* frequently editorializes on governance and policy failure. It often frames Boko Haram through lenses of state accountability, corruption, and humanitarian crisis.
- *Daily Trust* (Abuja-based, regional): As the most prominent northern daily, *Daily Trust* offers granular detail on local events, community responses, and military operations in the northeast. Its proximity to conflict zones allows for primary sourcing, though it has been critiqued for downplaying religious dimensions to avoid inflaming tensions.
- *Vanguard* (Southern-based, populist tone): *Vanguard* balances national headlines with sensationalist framing, often using emotive imagery and vivid metaphors in its Boko Haram coverage. It provides insight into how insurgency is consumed by broader publics, especially in urban centers like Port Harcourt or Lagos.

- *ThisDay* (elite-focused, policy-oriented): With ties to political elites and business circles, *ThisDay* offers a formalized, institutional tone. Its Boko Haram coverage often intersects with policy debates, regional diplomacy, and international development framing (e.g., UN, AU, ECOWAS involvement).

This multi-source approach allows for a comparative exploration of how ideology, region, ownership, and editorial culture influence conflict narratives.

3. Framing Conflict and Ideology in News Reporting

News media, particularly in conflict environments, do more than relay facts; they serve as ideological machines—organizing public perception through carefully selected language, imagery, and attribution. In Nigeria's reporting on Boko Haram, this is especially evident. The press selectively foregrounds or backgrounds elements such as actor identity, motivation, victimhood, and solution frameworks to construct a particular understanding of the conflict. Drawing on both framing theory (Entman, 1993; Van Gorp, 2007) and critical discourse analysis (van Dijk, 1998), this section examines how Nigerian newspapers embed ideology in their narratives about the insurgency.

3.1 Ideological Framing of Insurgents and State Actors

A recurring contrast in news framing involves the dual portrayal of Boko Haram and the Nigerian state. *The Punch* often anchors its coverage in a “law-and-order” frame, casting the government and military as embattled defenders of the nation-state. Phrases like “Nigeria's sovereignty under siege” or “federal forces regain control” implicitly frame the state as victim rather than complicit agent. This aligns with a hegemonic narrative of national unity and justifies securitization.

Daily Trust, however, occasionally allows alternative framings to surface. For example, articles have highlighted civilians caught between two fires—those fleeing Boko Haram violence only to face extrajudicial killings or arbitrary detention by government troops. In such framing, the state is not solely the savior but also a coercive actor. In a June 2018 editorial, *Daily Trust* remarked: “What the insurgents have taken by fear, our military now holds by force,

without rebuilding the peace.” Such framing breaks with state-centered narratives and shifts focus to structural failings.

Meanwhile, *ThisDay* tends to maintain a neutral, elite-toned position, often quoting presidential or international responses without significant ideological commentary. However, by foregrounding elite voices and downplaying grassroots experiences, this form of narrative also constitutes an ideological stance—favoring institutional legitimacy over vernacular truth.

3.2 Symbolic Labeling: “Terrorists,” “Jihadists,” “Fighters”

Labels are never neutral. Lexical choices reveal the moral universe in which a newspaper operates. *Vanguard* routinely refers to Boko Haram as “bloodthirsty terrorists,” employing highly charged descriptors like “rampage,” “slaughter,” and “massacre.” This not only demonizes the group (arguably rightly so) but also strips the violence of any political or socioeconomic causality. The violence is framed as irrational and dehistoricized.

By contrast, *Daily Trust* frequently opts for less emotionally saturated terms like “gunmen,” “militants,” or “fighters,” which may reflect a desire to avoid inflammatory language in a region already fraught with tension. This lexical difference has sparked debate: critics accuse *Daily Trust* of downplaying terrorism, while defenders argue that its language prevents ethnic profiling and overgeneralization.

Moreover, *ThisDay* strategically employs diplomatic terminology such as “non-state actors” or “destabilizing agents,” indicating an international policy orientation. This aligns with how global agencies like the UN or ECOWAS frame insurgency—not as criminality, but as governance failure and development crisis.

These semantic choices shape what counts as justifiable state violence, who qualifies as a victim, and whether peace is conceptualized as military victory or social reconciliation.

3.3 Evocation of Ethnic and Religious Discourse

The Nigerian press operates within a national context of deep ethno-religious cleavage, and its coverage of Boko Haram reflects that fault line. Southern-based papers such as *The Punch* often emphasize the Islamic rhetoric of Boko Haram—quoting Quranic references or featuring religious slogans from the group’s propaganda. While factually accurate, this

approach may unintentionally conflate radical Islamism with broader Muslim identity, especially in a country where Islam is practiced peacefully by millions.

In contrast, *Daily Trust*—serving a predominantly northern and Muslim readership—tends to de-religionize Boko Haram in its discourse. It emphasizes economic deprivation, government marginalization, and state corruption as root causes of the insurgency. In a 2020 report, the paper stated: “Until the youth have water, education, and dignity, no counter-insurgency can endure.” This reflects a social justice narrative rather than a clash-of-civilizations frame.

Furthermore, ethnic cues are embedded subtly in language. Southern outlets may mention the Kanuri ethnic roots of Boko Haram’s leadership, while northern papers often omit ethnic identifiers altogether. Such asymmetries matter—they influence how national audiences perceive ingroup vs. outgroup responsibility, and how likely they are to endorse inclusive solutions versus punitive ones.

In sum, Nigerian newspapers do not merely reflect conflict—they actively construct its moral and political meaning. Through framing devices, lexical selection, and narrative emphasis, they encode competing ideologies about the causes, actors, and consequences of insurgency in the Sahel. These ideological framings shape not only domestic opinion but also influence international donor perspectives, military strategy, and the public will to pursue peace or war.

4. Corpus Composition and Selection of Newspaper Samples

To enable a systematic comparison of how the Boko Haram insurgency is narrated across Nigerian newspapers, a carefully curated textual corpus was constructed. This corpus consists of 80 articles drawn from four major newspapers—*The Punch*, *Daily Trust*, *Vanguard*, and *ThisDay*—spanning the period between January 2013 and December 2022. This decade was selected as it encompasses critical phases of the conflict, including the Chibok abduction (2014), the declared ISIS affiliation (2015), military offensives under President Buhari’s administration, and the rise of factional splits post-2018.

Each newspaper contributed 20 articles to the corpus, evenly distributed across peak conflict

moments and relatively stable periods. The types of articles included are straight news reports, editorials, op-eds, and feature stories—ensuring a mix of factual reporting and opinionated framing. Articles were sourced through both digital archives and institutional subscriptions, using keyword combinations such as “Boko Haram,” “insurgency,” “Chibok,” “military operation,” and “terror attack.”

To ensure cross-sectional comparability, articles were filtered by the following criteria:

- Topical relevance: Each article must directly address events, actors, or consequences related to the Boko Haram insurgency.
- Narrative density: Preference was given to texts with a discernible evaluative or framing stance, rather than purely event-based dispatches.
- Source uniformity: For each paper, a balanced mix of datelines (Lagos, Abuja, Maiduguri) was considered to minimize regional bias.

Once selected, the corpus was annotated using NVivo software for qualitative textual analysis. Coding focused on three principal categories derived from appraisal theory and discourse analysis: attitude (judgment, affect), engagement (dialogic positioning), and graduation (intensity modulation). These linguistic markers were used to map how moral blame, emotional salience, and degrees of certainty were distributed across articles.

Additionally, headlines were extracted and treated as a separate sub-corpus due to their outsized role in shaping reader perception. For instance, *The Punch*’s front-page headline on April 15, 2014—“Hell on Earth in Chibok”—was coded as high in affect and graduation, whereas *Daily Trust*’s “Schoolgirls Missing in Borno” on the same day showed more neutral orientation.

This corpus thus provides the empirical foundation for analyzing both explicit and implicit narrative strategies employed by Nigerian newspapers. It captures not only what is said about Boko Haram, but how it is said, when, and by whom—revealing the shifting discursive terrain of conflict in the Sahel.

5. Thematic Mapping of Conflict Narratives

The analysis of the 80-article corpus reveals three dominant thematic frames in Nigerian newspapers’ coverage of the Boko Haram insurgency: the humanitarian toll, the

attribution of moral responsibility, and the securitization of cross-border threat. These themes operate as anchoring narratives across publications but vary in intensity, source attribution, and rhetorical emphasis depending on the outlet’s regional orientation and editorial stance.

5.1 Humanitarian Toll and Internally Displaced Persons (IDPS)

A consistent theme across all newspapers is the staggering human cost of Boko Haram’s violence. This is especially evident in the coverage of mass displacements, attacks on schools and markets, and the disruption of rural livelihoods. Phrases such as “villages razed to the ground” (*Vanguard*, 2020) and “children sleep in open fields without shelter or food” (*Daily Trust*, 2019) highlight both affective and descriptive intensity.

While southern papers like *The Punch* frequently frame this toll in emotional terms—focusing on victims’ pain and trauma—northern papers like *Daily Trust* emphasize logistical aspects such as aid delivery failures and overcrowded IDP camps. For instance, one *Daily Trust* headline reads: “IDPs in Bama Lament Five Days Without Water” (June 2021), shifting focus to infrastructural neglect rather than simply victimhood.

Such differences reflect broader ideological commitments: where one frame underscores state compassion and urgency (*The Punch*), another suggests state withdrawal or paralysis (*Daily Trust*). Both strategies, however, affirm the centrality of human suffering in Boko Haram narratives.

5.2 Moral Responsibility Toward Government and Military Action

The question of who bears responsibility for the persistence of insurgency divides media narratives. In southern dailies, the tendency is to link Boko Haram’s strength to governance failure. Editorials from *The Punch* describe the federal government as “routinely indifferent” or “administratively flat-footed,” often invoking the military’s delays, mismanagement of funds, or failure to secure abductees.

ThisDay, on the other hand, frames the issue through elite diplomacy and federal response. A 2022 op-ed noted: “The insurgency, once again, tests our strategic depth and regional intelligence sharing”, indicating a more technocratic

assessment of blame.

In contrast, *Daily Trust* adopts a more nuanced tone—often highlighting not only state neglect but also local complicity and community silence. Some editorials point to “residents’ unwillingness to report militant movements,” portraying insurgency as partly embedded in societal fragmentation.

This divergence in moral framing shapes the perceived legitimacy of security operations, humanitarian response, and institutional reform. Whether the conflict is interpreted as state failure, community erosion, or international disengagement profoundly affects public expectations and policy debate.

5.3 Cross-Border Framing and Global Jihadist Narratives

The final major theme is the connection of Boko Haram to global networks of violence. Since the group’s pledge of allegiance to ISIS in 2015, Nigerian newspapers have increasingly situated the conflict within a transnational frame. Headlines such as “ISIS Flag Found in Boko Haram Camp” (*Vanguard*, March 2016) or “Insurgents Train Recruits in Niger Border Town” (*ThisDay*, October 2019) extend the narrative beyond national boundaries.

This theme is strongest in *Vanguard* and *ThisDay*, which regularly cite intelligence reports, foreign military support (e.g., U.S. drone surveillance), and multilateral summits addressing the Lake Chad Basin crisis. *Daily Trust*, while reporting these developments, places relatively more emphasis on local security arrangements and regional governors’ coordination.

Framing Boko Haram as part of a global jihadist network performs two discursive functions: it rationalizes militarized response (including foreign aid and arms purchases), and it shifts blame away from national governance toward transnational actors. The implicit message is that Nigeria is one node in a larger war on terror, rather than the sole agent of resolution.

Together, these thematic strands structure the way Nigerian newspapers construct public meaning around the Boko Haram insurgency. They anchor the insurgency within overlapping moral, emotional, and geopolitical coordinates, thus shaping not only how the conflict is reported, but how it is morally understood and politically acted upon.

6. Linguistic and Discursive Strategies of

Representation

While thematic mapping reveals what is being said about the Boko Haram insurgency, a closer linguistic analysis uncovers how it is said—through what tone, evaluative stance, and rhetorical architecture. Drawing on Appraisal Theory (Martin & White, 2005), this section identifies and contrasts the use of three key discourse strategies across the selected Nigerian newspapers: attitude (judgment and affect), engagement (stance-taking and alignment), and graduation (intensity scaling). These strategies operate not only in full articles but often with greater force in headlines, subheadings, and photo captions, where meaning is compressed and judgment is foregrounded.

6.1 Judgment and Affective Evaluation

Judgmental language directed at both Boko Haram and the Nigerian state is prevalent across the corpus. *The Punch* frequently uses morally loaded terms like “cowardly ambush,” “callous disregard,” or “brazen attack,” which perform dual functions: they condemn insurgents’ actions and emotionally mobilize readers. For instance, a February 2018 headline read, “Massacre in Dapchi: The Government That Sleeps While Girls Disappear.” This not only critiques insurgents but attributes responsibility to state inaction.

In contrast, *Daily Trust* prefers a less accusatory tone, sometimes using more descriptive or bureaucratic expressions such as “military unable to confirm casualties” or “community leaders raise alarm on renewed attacks.” This registers concern while avoiding overt blame, a strategy possibly intended to preserve institutional neutrality or reduce local tension.

Affective stance toward victims—especially women and children—is common. Across all newspapers, emotive phrases like “helpless children,” “weeping mothers,” “shattered communities” appear frequently in lede paragraphs, underscoring the symbolic value of innocence lost. These expressions humanize the cost of conflict while implicitly casting insurgents as moral deviants.

6.2 Engagement and Dialogic Positioning

The level of authorial alignment with quoted sources varies across newspapers. *ThisDay* and *Vanguard* tend to report security briefings and presidential statements with minimal hedging, using attributions like “President said,” “Army

confirmed," "Military declared." These monoglossic stances (asserting a single authoritative voice) reinforce state legitimacy and limit alternative readings.

Daily Trust, however, often includes multivoiced expressions: "Residents say...", "Eyewitnesses contradict...", "Survivors recount...", inviting multiple interpretations and positioning the reader within a more dialogic, contested space. This form of discursive engagement may reflect a deliberate editorial attempt to balance institutional voices with those of everyday citizens, especially in conflict zones where the state's credibility is often questioned.

6.3 Graduation: Scaling of Intensity and Force

Lexical intensifiers play a crucial role in modulating the emotional and moral intensity of reports. *Vanguard* makes frequent use of amplified expressions such as "massive explosions," "horrific scenes," "unspeakable brutality," which create a heightened affective tone. This strategy often blurs the line between journalism and advocacy, pushing the reader toward outrage or urgency.

By contrast, *ThisDay* prefers calibrated language, using technical terms like "operational setback," "disruption of supply lines," or "temporary withdrawal" to frame military losses. This form of graduation tempers emotional responses, reflecting an elite or policy-facing narrative register.

Interestingly, both *The Punch* and *Daily Trust* vary their intensity levels depending on proximity to key anniversaries or public outcry moments. For example, coverage of the Chibok girls' anniversary in both outlets used stronger evaluative markers than regular weekly reporting, indicating a discursive strategy tied to national memory and symbolic capital.

These linguistic strategies do not merely style the text; they shape how the conflict is interpreted, by whom, and with what emotional or moral consequences. Through patterns of judgment, stance, and intensity, Nigerian newspapers participate in the construction of a public vocabulary of insurgency—one that defines heroism, failure, suffering, and hope in a highly stratified media environment.

7. Comparative Reflections on Editorial Positioning and Regional Emphasis

The differences in how Nigerian newspapers narrate the Boko Haram insurgency are not

incidental but deeply structured by factors such as regional affiliation, media ownership, audience expectations, and political proximity. This comparative section synthesizes earlier findings by organizing divergences into three analytical axes: regional contrast between North and South, editorial strategies of private vs. state-aligned media, and geographic framing of the insurgency's impact—urban vs. rural focus.

7.1 North–South Contrast in Narrative Tone and Emphasis

Northern-based *Daily Trust* and southern-based *The Punch* and *Vanguard* display marked differences in how they position the state, the insurgents, and local communities. *Daily Trust* often adopts a measured and localist tone, embedding reports within community voices and material consequences. Its narratives prioritize pragmatic concerns—food shortages, IDP camp breakdowns, and infrastructural gaps—over ideological framing. For example, while *The Punch* might headline "Terrorists Burn School, Defy Buhari's Troops", *Daily Trust* might lead with "Three Schools Destroyed in Kukawa, Students Displaced." Both report violence, but their framing of actors and consequences differs sharply.

Conversely, *The Punch* and *Vanguard* typically emphasize spectacle, urgency, and outrage, with a tendency to personalize blame (e.g., "Buhari fails again") and dramatize civilian suffering. This reflects a crisis journalism orientation that appeals to broader southern urban readerships, less directly exposed to the day-to-day reality of Boko Haram but more receptive to national-level political critique.

7.2 Private vs. State Media Editorial Framing Strategies

While all four papers are privately owned, degrees of editorial independence and alignment with state narratives vary. *ThisDay*, known for its elite readership and ties to political actors, often employs technocratic and institutional framing. It rarely uses high-intensity affect and favors quotes from military briefings, diplomats, or think tanks. Its insurgency discourse centers around regional stability, security cooperation, and governance capacity—a framing that supports policy legitimacy rather than populist anger.

Vanguard, in contrast, leans toward populist sensationalism, often fusing nationalistic sentiment with moral condemnation. Its

headlines frequently call for military escalation or government action, such as “*Enough is Enough: Deploy the Drones Now*”. It reflects a hybrid editorial posture: anti-establishment in tone, yet nationalistic in aspiration.

Daily Trust maintains a more cautious editorial voice, shaped both by its proximity to the conflict and a need to balance critical reporting with safety and community engagement. It is the only paper in the corpus that occasionally publishes letters from survivors, community leaders, and religious figures, offering plural perspectives rather than singular official narratives.

7.3 Urban-Centered vs. Rural-Affected Story Representation

Spatial orientation also plays a key role in how Boko Haram is represented. *The Punch* and *Vanguard* often cover the insurgency from a Lagos- or Abuja-based editorial lens, with little embedded reporting from the Northeast. As a result, their stories often rely on third-party sources (military spokesmen, press agencies, NGOs) and emphasize the insurgency’s symbolic and political meaning rather than its material toll.

By contrast, *Daily Trust* integrates rural and peri-urban reporting, with field correspondents based in Maiduguri, Yobe, and Adamawa. This enables granular coverage of events such as village-level raids, school shutdowns, and community displacement, thereby grounding the insurgency in lived rural realities rather than abstract national anxieties.

This urban–rural gap is not merely geographic but epistemological. It determines whether the insurgency is viewed as an existential threat to state sovereignty (as in southern papers) or a structural development crisis (as in northern reportage).

Together, these comparative reflections illuminate the discursive fault lines in Nigerian media coverage of Boko Haram. While all outlets ostensibly cover the same conflict, they frame it through distinct ideological grids, shaped by geography, political alignment, ownership structure, and target audience. These differences matter—not only for academic discourse analysis but for policymaking, peacebuilding, and national reconciliation. Media narratives construct the lenses through which violence is seen, interpreted, and ultimately responded to.

8. Toward Responsible Journalism in Times of Insurgency

As Nigeria continues to grapple with the Boko Haram insurgency and its evolving security and humanitarian implications, journalism occupies a precarious yet critical position. The media is not only a narrator of violence but also a constructor of national memory, moral community, and public judgment. Yet in highly polarized and politically sensitive contexts such as the Sahel region, this role becomes fraught with tension—between state loyalty and civic duty, between factual reporting and emotional resonance, and between urgency and accuracy.

The comparative analysis of *The Punch*, *Daily Trust*, *Vanguard*, and *ThisDay* illustrates the extent to which conflict coverage is shaped by spatial, ideological, and institutional logics. These papers each deploy language and framing devices that implicitly or explicitly guide readers toward certain interpretations—about who the victims are, where guilt resides, and what kinds of solutions are imaginable or legitimate.

In this context, responsible journalism must do more than react to violence. It must interrogate the structures that produce and sustain it. This means:

- Avoiding stereotyping: Not reducing complex insurgencies to religious or ethnic essentialism, particularly in a country as culturally diverse as Nigeria.
- Amplifying marginalized voices: Especially those of women, internally displaced persons (IDPs), and rural communities, whose experiences are often rendered invisible in elite media.
- Challenging official narratives when necessary: Without resorting to sensationalism or unverified reporting.
- Practicing reflexivity: Journalists and editors must continually ask how their positioning—geographically, socioeconomically, politically—affects the stories they tell and omit.
- Investing in local correspondents and long-form reportage: To counteract the metropolitan bias that erases ground realities in northeast Nigeria.

There is also a pressing need for institutional support mechanisms that enable such journalism: safety guarantees for conflict

reporters, funding for regional investigative work, and legal frameworks that protect freedom of speech without enabling hate speech or misinformation.

Ultimately, the call is for a journalism that is ethically grounded, contextually informed, and socially engaged—one that resists binary narratives of heroism and villainy, and instead fosters the kind of public discourse that can build peace rather than deepen polarization. In narrating conflict, the media must not only speak truth to power but also narrate with care, with nuance, and with responsibility.

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