

Poverty Laws: An Introduction

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ABSTRACT

Despite global effort it is estimated that about 2.2 billion people still live in poverty, and that approximately 80% of this figure is made up of people living in rural areas. The Sustainable Development Goals (SDGs) of the 2030 Agenda include as its number 1 goal, the goal to end poverty. However, the report by the World Bank (2018) stated that putting an end to poverty is proving to be one of the greatest human rights challenges the modern world faces.

The Sustainable Development Goals (SDGs) which are an extension of the Millennium Development Goals (MDGs) was adopted on September 2015 by the United Nations Assembly to fight against poverty and eradicate human deprivation.

This paper presents a brief introduction on poverty laws, discusses possible challenges and the way forward.

KEYWORDS: Millennium Development Goals, Sustainable Development Goals, Poverty, Human rights, Least Developed Countries, Poverty Laws

INTRODUCTION

The world for several thousands of years has been experiencing increased urbanization. The United Nations Population Fund (UNPF) in 2008, announced that more than half of the world's population will be living in urban areas, such that by 2030, towns and cities will be home to almost 5 billion people [1]. There is the projection that between 2007 and 2050, the population of the world will increase by 2.5 billion, at which point two-thirds of the global south would reside in urban areas [2], about 27% of the world's population would reside in cities, and with at least 1 million inhabitants before 2030 [3]. While cities offer many health benefits, with large market, with a reliable food supply, economies of scale, stable public services, and the collection of educated individuals that contribute to enterprise, education, and innovation [4].

Despite the help by urbanization to improve development and health in the long run, it has produced some negative consequences as well. As populations increase at unprecedented rate, communities and over-whelming cities that lack adequate infrastructure and municipal organization to handle the rising challenges, which is most problematic in the global south, where urban slums and other areas with concentrated populations have grown, thereby causing increasing greenhouse heat emissions. Moreover, such countries face an elevated risk of disease, while the healthcare systems struggle to catch up and are unable to respond effectively [5, 6].

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HISTORY OF POVERTY

On a global scale, poverty was first discovered after the Second World War; before 1940 it was not an issue. Poverty is a human-made phenomenon, just as humans have created wealth, we have created great poverty.

The causes of poverty in every country are deeply rooted in the global system, which was programmed over thousands of years to benefit the richest and most powerful – from colonialism, to structural readjustment and the global spread of neoliberalism today. In 1800 using the \$1.90 a day standard, 81 percent of people worldwide were in poverty. One-hundred-ninety years later, only 44 percent were in poverty [7].

WHAT IS POVERTY?

Poverty is the economic state where people are experiencing scarcity or the lack of certain commodities that are required for the lives of human beings such as money and material things. Poverty is the state of being extremely poor. Being poor means not having enough money to support oneself and/or family with basic supplies of life such as food, water and shelter.

Therefore, poverty is a multifaceted concept inclusive of social, economic and political elements.

Statistics show that 80% of the world's population lives on \$10 a day, while 2010 study shows that 22% lives on \$1.25 a

day, and also while 25 billion people die every day due to extreme poverty of which 22 billion are children.

In the Ancient world, poverty was a visible and common phenomenon. According to estimations 9 out of 10 persons lived close to the subsistence level or below it. There was no middle class. The state did not show much concern for the poor. Many peasants, already living at the margin of subsistence, were further impoverished and driven into debt by harsh annual exaction, and leading to outright loss of land that made them to become laborers or beggars. Poverty was wide spread both in rural and urban areas [8]. The World Bank views poverty as a phenomenon which is multidimensional and as a situation in which people are unable to fulfil their basic human needs as well as lack control over resources. Consequently too, such people lack education and skills, experience poor health, malnutrition and lack of shelter, have poor access to safe water and sanitation, and are vulnerable to shocks, violence and crime [9]. Furthermore, Thabo Mbeki said:poverty is not only expressed in shortage of food, shelter and clothing. It is also expressed.....in high levels of crime, including violence among the poor themselves, especially against women and children, in many instances accompanied by substance abuse [10].

THE TWO MAJOR TYPES OF POVERTY ARE:

1. Mild poverty and
2. Extreme poverty.

Mild poverty are families that have enough to buy the basic supplies of life and can survive, and while extreme poverty are families that live on less than a dollar a day.

Moreover, on the basis of social, economic and political aspects, the different ways by which to identify types of poverty are [11]:

- Absolute/Extreme/Abject poverty.
- Relative poverty.
- Situational poverty.
- Generational poverty.
- Rural poverty.
- Urban poverty.

WHAT IS POVERTY LAW?

Poverty law is to protect the disadvantaged poor from unfair treatment by the law. Harvard Law [12] defines poverty law as, "the legal statutes, regulations and cases that apply particularly to the financially poor in his or her day to day life". This law often overlaps with federal benefits and welfare policies. Pertinent federal government benefits include Medicaid; cash public assistance (more commonly known as Welfare; and the Supplemental Nutrition Assistance Program (SNAP), previously known as the food stamps program [13]. This law frequently involves questions of administrative laws, civil rights law, constitutional law, employment law, and health law.

THE CAUSES OF POVERTY

Some of the major/root causes of poverty are as enumerated below [14]:

1. Lack of good jobs/job growth
2. Lack of good education
3. Warfare/conflict
4. Weather/climate change

5. Social injustice
6. Lack of food and water
7. Lack of infrastructure
8. Lack of government support
9. Lack of good health care, epidemic diseases such as AIDS and malaria
10. High cost/inflation
11. Environmental problems such as the lack of rain and extreme weather conditions
12. Corruption
13. Debt
14. Poor utilization of resources
15. Poor government policy or poor governance.

THE GLOBAL EFFECTS OR IMPACT OF POVERTY

More than 1.4 billion poor people across the world live in worst conditions possible, and are affected by AIDS, malaria, starvation and other deadly diseases. Many children die before reaching adolescence, and many adults die before reaching middle age. In the poorest nations, the illiteracy level is very high with a college education being a mirage. Millions of people die every year due to lack of enough food to eat, lack of access to clean water, lack of adequate sanitation and medicare.

The United Nations Development Program (UNDP), the World Bank, and other international agencies make use of annual reports on human development indicators that show the impact of living in a poor nation, such indicators are:

- Human Development - A nation's health is the most important indicator of human development. Around the world it is seen that global poverty is a matter of life and death. Such evidence of this fact comes from data of life expectancy, which is the average number of years that a nation's citizen can be expected to live. However, life expectancies differs within each nation, with some people dying younger, and others dying older, but poverty and related conditions affect the overall life expectancy of a nation to a startling degree [15].
- Child Mortality - Child mortality is a key contributor to life expectancy and also a significant indicator of Human Development, which is the number of children who die before age 5 per 1,000 children (as shown In Figure 1). "Global Stratification and Child Mortality, 2006" where the rate of child mortality in poor nations is 135 per 1,000 children, which is to say that 13.5% of all children in those nations die before age 5. In a few African nations, child mortality even exceeds 200 per 1,000. In contrast, the rate in wealthy nation is only 7 per 1,000. Thus, children in poor nations are about 19 times more likely to die than children in wealthy nations [16].
- Sanitation and Clean Water - Other indicators of a nation's health are (a) access to adequate sanitation (disposal of human waste) and (b) access to clean water, see Figure 2. Lack of adequate sanitation and clean water by people exposes them to greater risk from life-threatening diarrhea, from serious infectious diseases like cholera and typhoid, and from parasitic diseases as schistosomiasis [17].
- Malnutrition - This is another health indicator, which is caused by lack of good food, combined with infections and diseases e.g. diarrhea that sap the body of essential nutrients. Malnourished children are at greater risk for fat and muscle loss, brain damage, blindness, and death

(video of children in Africa or South Asia who are so starved and look like skeletons) Figure 3. Child malnutrition contributes heavily to the extreme mortality rates of children and is estimated as 5 million deaths of children annually (UNICEF, 2006; WHO, 2010) [18].

- Adult Literacy – Another indicator of human development is adult literacy, which is the percentage of people 15 and older who can read and write a simple sentence. People in poor and middle-income nations are far worse off. The high rate of illiteracy in poor nations not only reflects them as being poor but also contribute to it, as people who cannot read and write are at a huge disadvantage in the labor market [19].
- The Status of Women – Women are estimated to make up 70% of the world's poor as women tend to be poorer than men worldwide, hence, they are more likely than men to experience all the problems that poverty causes, like malnutrition and disease and so on. Others include rape, domestic violence, segregation, sexual abuse, and sexual slavery.
- The Status of Children – Children are regarded as the weakest members of the society due to their size, immaturity and lack of resources. Children also lack adequate welfare in addition with the problem of “child soldiers” who may bear arms and engage in combat, serve as cooks and messengers, or as sexual slaves. Approximately 300,000 (under age 18) worldwide are thought to be child soldiers in countries like Angola, Burundi, the Democratic Republic of the Congo, Rwanda, Somalia and Uganda [20].

THE ERADICATION OF GLOBAL POVERTY

Poverty entails more than the lack of income and productive resources to ensure sustainable livelihoods. Various social groups bear disproportionate burden of poverty.

The World Social Summit identified poverty eradication as an ethical, social, political and economic imperative of mankind and called on governments to address the root causes of poverty, provide for basic needs for all and ensure that the poor have access to productive resources, including credit, education and training.

Poverty reduction has not attained any significant level of progress especially in the developing countries, and even globally. As a result of this, the 24th special session of the General Assembly devoted to the review of the Copenhagen commitments, decided to set up targets to reduce the proportion of people living in extreme poverty by 2015. These targets have been endorsed by the Millennium Summit as Millennium Development Goal 1.

The under listed means of eradicating poverty globally as cited from “Poverty Eradication – the United Nations” and “Evaluating Poverty alleviation strategies in a developing country” are as follows [21, 22]:

- Poverty eradication must be mainstreamed into the national policies and actions in accordance with the internationally agreed Development Goals of the United Nations Development Agenda.
- Need to strengthen the leadership role of the UN in promoting international co-operation for Development critical for the eradication of poverty.

- Advocating for the empowerment of the people living in poverty through their full participation in all aspects of political, economic and social life, especially in the design and implementation of policies that affect the poorest and most vulnerable groups of society.
- An integrated strategy that will involve policies geared to more equitable distribution of wealth and income and social protection coverage.
- Debate on the effectiveness and limitation of current poverty reduction strategy.
- Poverty analysis through the thorough examination of the impact of the economic and social policies on the poor and other vulnerable social groups i.e. by the use of Poverty and Social Impact Analysis (PSIA).
- Improving access to sustainable livelihoods, entrepreneurial opportunities and productive resources.
- Providing universal access to basic social services.
- Progressively develop social protection systems to support those who cannot support themselves.
- Addressing the disproportionate impact of poverty on women.
- Working with the interested donors and recipients to allocate increased shares of their Official Development Assistance (ODA), which is 0.7% of their Gross National Income (GNI) to Poverty eradication.
- Intensifying international cooperation for poverty eradication.
- Good governance systems and processes.
- Affordable and approachable education and healthcare.
- Climate-smart production systems.
- Strong institutions for the poor.
- Mainstream financial institutions supporting Community Based Organizations (CBOs).

Mr. Benn Hilary (2007) was of the view that poor countries should finance their 10 year education plan, because education is the best way to change lives and fight poverty, and as well emulate the UK Child Trust Fund where every child will have a financial asset at age 18, thereby changing the way the young people think about their futures. Need for “participatory budgeting”, where residents have a say as to how their taxes should be spent [23]. He also stated that if the world can work together, with the heart of the “Make Poverty History Campaign” (as the marching carried out in Edinburgh), politics can change things – and this is how we can defeat poverty wherever we find it [24].

THE 9 WAYS TO REDUCE POVERTY (THE AMERICAN WAY/PERSPECTIVE) - This should be food for thought to all the heads of governments in the developing countries to understudy and consider which ones can be adopted/modified to suite their various countries. The 9 ways are [25]:

1. Increase employment.
2. Raise America's pay.
3. Sustain not cut the social safety net.
4. Paid family and sick leave.
5. End mass incarceration.

6. Invest in high quality childcare and early ed.
7. Tackle segregation and concentrated poverty.
8. Immigration reform.
9. End the poverty tax.

CHALLENGES TO GLOBAL POVERTY REDUCTION

For the Least Developed Countries (LDCs) there are many challenges that need to be addressed so that they can achieve the international poverty reduction goal envisioned by the MDGs and SDGs shown in Figure 4. The challenges include among others:

- Inadequate implementation of macroeconomic reforms and fiscal policies by the multilateral financial institutions.
- Development of innovative approaches for mobilizing domestic financial resources.
- Problem of huge foreign debts.
- Very low/limited range of exports which continues to decline in price as against strategic imports [26].
- Difficulties in public financial and administrative management systems.
- Favorable settings or conditions for corruption, with a judicial system that protects offenders, particularly those connected to the power structure, as in the case of the Mozambican economy reported in May 2006 by the United States Agency for International Development (USAID) [27]. This statement is to a large extent very true of most, if not all of the African/developing countries.

Moreover, the latest Global Monitoring Report (GMR) stated the three major challenges to ending extreme poverty [28] as:

1. The depth of remaining poverty,
2. The unevenness in shared prosperity, and
3. The persistent disparities in non-income dimensions of development.

CONCLUSION

Poverty laws are directly focused on how global poverty can be drastically and quickly eradicated or reduced to the lowest minimal level, most especially in the developing countries, and while the developed nations can still do more. It should be noted that poverty is one of the major causes of crime, for according to criminology "corruption by itself is a crime" – a crime against humanity, since corruption undermines development by lining the pockets of dishonest persons with development funds. Bluntly speaking, most if not all of the head of governments in the third world countries, are extremely corrupt, and only playing lip service to the eradication or reduction of poverty in their respective countries, which has led such countries to where they are today. Corrupt leaders must be seriously and heavily sanctioned for their evils.

The enormity and complexity of poverty issue could endanger the social fabric, undermine economic development, the environment, and threaten the political stability in many countries (most specifically African countries).

We must spare no effort to free our fellow men, women, and children from abject and dehumanizing conditions of extreme poverty.

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Figure 1 India lags behind child Mortality



Figure 2. Poor Sanitation and Waste Management



Figure 3 Child Malnutrition and Poverty



Figure 4 Sustainable Development Goals (SDGs)