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LEGAL AID AND JUSTICE: PANACEA FOR POVERTY REDUCTION

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Abstract

It is not enough to say that the lack income could lead to poverty. Not having access to food, decent shelter, safe water, health care, education and most especially justice could also lead to poverty. This study, thus examined as a policy the implications of people not having access to justice and the imperatives of government providing legal aid and justice through its courts to the most vulnerable in the society. Drawing from available literature, this study observed that where the rights of a man who though not ordinarily poor is infringed upon and such a man is unable to have access to the courts (the custodian of justice), where such rights can be remedied, it goes without saying that such a man may be subjected to losing valuables and thereby resulting into poverty. Thus, equal access to justice to all through legal aid therefore will go a long way in checking and ameliorating abject poverty which has become endemic in most of the developing countries. From this and other observations, this study therefore recommended among others that: government ensures that all citizens irrespective of political, social and economic status have equal access to justice; the poor on their own should endeavour to avail themselves with all the available opportunities provided by the government to see that their rights when infringed are remedied through legal aid; courts are commended to relax their rules that are always characterised with rigidity so as to give equal access to justice to all without any technicality or rigidity; and people of high integrity and other good qualities should be considered in the appointment of judges.

Key Words: Legal Aid, Justice, Poverty, Poverty Reduction, Nigeria

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Introduction

It is obvious that there are many problems aggravating poverty, one of which is lack of access to equal justice by the poor unlike the rich people. Poverty has been a tendency to degrade and condemn even when economic development improved the lot of the poor. Therefore any programme for using the law in at least reducing the effects of poverty will, necessarily require knowledge on: Who the poor are? What their problems are? and how they are related to the existing law and legal services? These questions thus lead one to a discovery of the dimensions of poverty, law and legal aid in relation to the idea of justice to the poor. It is significant to note that the social goal of legal aid is to make the delivery of legal services to the poor more effective, more accessible and more compatible with international standards and best all over the globe (Menon, 1988; UN, 2001; UN, 2002; Adeyemi, Ijaiya & Ijaiya, 2007; Adeyemi *et.al*, 2009).

Legal aid, in addition to providing better access to justice for indigent persons, is also an instrument for the reduction of poverty and a provider of job opportunity for lawyers. Thus, legal aid is fashioned out in such a way as to be proactive and dynamic bulwark for the defence of the right of indigent and vulnerable people. It is aimed at operating like a proactive law firm adequately resource and endowed with ability to respond swiftly to the cries of the poor for help not only in criminal matters but also in civil, administrative and other matters where the intervention of a law could make a difference. A situation where an indigent defendant is sent to prison or suffers an injury because the person could not afford the services of a good lawyer is antithetical to democracy and therefore there should be an urgent need to strengthen the legal aid and put same in a position to handle more cases effectively and efficiently (Wikipedia, n. d. a)

Conceptual Issues: Legal Aid, Justice, Poverty and Poverty Reduction**The Concept of Legal Aid and Justice**

Legal aid has been taken to mean the organised effort of the bar, the community and the government to provide the services of lawyers free, or for a token charge, to persons who cannot afford to pay lawyers' fees. In the context of the existing constitutional demands and State obligations of some developing countries, it is obvious that, legal aid will have to assume a more positive and dynamic role which should include strategic and preventive services. Relieving "legal poverty" (the incapacity of many people to make full use of the law and its institutions) has now been accepted as a function of the welfare state. This function implies affirmative action from the state (Menon, 1988).

Menon (1988) also described legal aid as providing effective access to individuals and groups to avail themselves of legal entitlements are part of this affirmative function. How far the government should go in this direction at any given time determines the definition and scope of legal aid at that time. It can also be described as the right of every indigent and a constitutional obligation of the government. Furthermore, the concept is to mean not only representation through lawyer at state expenses in court proceedings, but also include legal advice, legal awareness, legal mobilisation, public interest litigation, law reform and a variety strategic and preventive services which, instead of assisting each individual on a case-by-case basis help them as a class to avoid helplessness arising from poverty and promote equal access to justice. In this respect "legal aid" is a dynamic instrument of the 'war against poverty' (see also Narayan, Chambers, Shah & Petesch, 2000; Narayan, Patel, Schafft, Rademacher, & Koch-Schulte, 2000).

It is well established that countries which have well-established and flourishing democracies have judicial system that are free, strong, well motivated and unbiased. The judicial systems in such countries are independent in every sense of the word and are well equipped to dispense justice to all and sundry without hindrance or prejudice. It is the belief of citizens that justice shall be done as stated by their courts (which are creations of their constitutions) that strengthens their constitutions and democracy. The judicial system of a country is the foundation or basis of the country's constitution and ultimately, democracy. The judiciary is the custodian of constitutional governance and democracy (Silverman, 2017).

It is pertinent to note that the problems of judicial system in most developing countries are almost entirely that of administration of justice. Most constitutions of these countries provide clearly that all shall be equal before the law. Moreover, it is a right guaranteed under the constitutions of these countries that citizens shall have unrestricted access to the courts where they can conduct their cases either by themselves or by a legal practitioner of their choice. However, some of the impediments to a citizen's access to justice in developing countries include ignorance of the populace, poverty, corruption and bad or non-existent infrastructure for the administration of justice (Widner, 2017)

The Concept of Poverty and Poverty Reduction

Schubert (1994) saw poverty as either absolute or relative or both. Absolute poverty being that which could be applied at all time in all societies, such as the level of income necessary for bare subsistence, while relative poverty relates to the living standard of the poor to the standards that prevail elsewhere in the society in which they live.

Narayan (2000) defined poverty as lack of material well-being, insecurity, social isolation, psychological distress, lack of freedom of choice and action, unpredictability, lack of long-term planning horizon because the poor cannot see how to survive in the present low self confidence and not believing in one self.

As observed by Sengupta (2003) poverty is not only an insufficient income to buy a minimum basket of goods and services but lack of basic capabilities to live in dignity. This definition recognises poverty's broader features, such as hunger, poor education, discrimination, vulnerability and social

exclusion. Sen (1999) asserts that poverty is deprivation of basic capabilities such as being healthy, having a good job, being safe, being happy and having self-respect rather than low income.

Hunt *et al.* (2003: 11) also saw poverty as either the failure of basic freedoms (from the perspective of capabilities), or the non-fulfillment of rights to those freedoms (from the perspective rights). Thus, from the human rights perspective, poverty can be said to consist of the non-fulfillment of a person's human rights to a range of basic capabilities.

In the light of the International Bill of Rights, poverty is defined as a human condition characterised by sustained or chronic deprivation of the resources, capabilities, choices, security and power necessary for the enjoyment of an adequate standard of living and other civil, cultural, economic, political and social rights (UN 2001; UN 2002; Adeyemi *et al.* 2007).

Causes of Poverty

The wide ranging root causes of poverty can be categorised into three broad groups: unequal distribution of assets; insecurity and vulnerability; and social exclusion and powerlessness. It was acknowledged that the persistence of high levels of inequality of income, assets and opportunities exacerbate poverty. High unemployment rates, lack of access to productive resources such as land, credit, market and information limits the productive capacity of the poor. Vulnerability and insecurity among the poor is made worse by weak social protection programmes. In addition, long-term civil conflict and the breakdown of the rule of law put the poor at more risk. The poor suffer from social exclusion and powerlessness and are hereby unable to participate in decisions that affect their lives (Ijaiya, 2000; World Bank, 2001; Ijaiya & Umar, 2004; Ijaiya, 2012; World Bank, 2012; Ijaiya, 2013).

The World Bank (2000) identified the lack of voice, power and independences as causes of poverty which in effect subject the poor to rudeness, humiliation, shame, inhumane treatment and exploitation at the hands of the institutions of the state and society. Narayan, (2000) reiterates that lack of voice and power is experienced not only in interactions with the state, but also in poor people's interactions with the market, landlords, bankers, moneylenders and employers (see also, Narayan, Chambers, Shah & Petesch, 2000; Narayan, Patel, Schafft, Rademacher, & Koch-Schulte, 2000, World Bank, 2001).

As observed by Yahie (1993) the factors that causes poverty include: (i) structural causes that are more permanent and depend on a host of (exogenous) factors such as limited resources, lack of skills, locational disadvantage and other factors that are inherent in the social and political set-up; and (ii) the transitional causes that are mainly due to structural adjustment reforms and changes in domestic economic policies that may result in price changes and unemployment. Natural calamities such as drought and man-made disasters such as wars, environmental degradation and so on also induce transition poverty [see also McCaston, & Rewald, (2005) cited in Ijaiya, 2012].

The causes of poverty can also be viewed from the problem of urbanisation. According to Ward (1999), the factors that cause poverty in most urban cities can be linked to the inner urban decay caused by poor urban public facilities because most infrastructure assets have been allowed to run down through lack of maintenance and investment. Facilities have broken down because local administrations have had insufficient resources and inadequate skills to maintain them. In addition, many amenities have been unable to cope with the increasing demands being placed on them. It is also observed that the local authorities over the years have cut expenditure on infrastructure development and raise tax rates that are counter-productive since this encourages the private firms to migrate and thus reduces employment.

Consequences of Poverty

Discussing the consequences of poverty, Narayan, Chambers, Shah & Petesch, (2000) were of the view that because of poverty, most households in the urban cities are crumbling. While some

households are able to remain intact, many others disintegrate as men, unable to adapt to their failure to earn adequate incomes under harsh economic circumstance, have difficulties accepting that women are becoming the main breadwinners that necessitates a redistribution of income within the households. The result is often alcoholism and domestic violence on the part of men and a breakdown of the family structure. Women in contrast, tend to swallow their pride and go out into the streets to do demeaning jobs, or in fact, to do anything it takes to put food on the table of their children and husbands.

The consequences of poverty also include that: for the people affected, poverty leads to physical and psychological misery, caused inter-alia by inadequate nourishment, lack of medical care, a lack of basic and job related education and marginalization in the labour markets; (ii) for the national economies of countries affected arising from the formation of slums in cities, a worsening of ecological problems particularly, as a result of predatory exploitation in the agricultural sector and through the failure to use the available human resources, and for the political and social development of the countries that reinforce the existing power structures and thus the privileges of a minority of the population that are the corrupt elites (Von Hauff *et al.* 1994).

The World Bank (2001) also observed that one of the consequences of poverty is the high level of vulnerability which is a constant companion of material and human deprivation given the circumstances of the poor and the near-poor. Instances have shown that most poor people usually live and farm on marginal lands with uncertain rainfall; live in crowded urban settlements where heavy rains can wipe out their houses; have precarious employment in the formal or informal sector; have a higher risk of diseases such as malaria and tuberculosis; have the risk of arbitrary arrest and ill treatment at the hands of local authorities (women in particular are risk of being socially excluded and victims of violence and crime). The risk that the poor people face as a result of these circumstances is the cause of their vulnerability. But the deeper cause is the inability to reduce or mitigate risk or cope with shocks-a cause that both draws from and feeds into the cause of other dimensions of poverty.

It is to be noted that poor in rural areas include landless agricultural labourers, small landholders, village artisans such as weavers, potters whereas the urban poor consists of the unemployed and severely underemployed, domestic and contract labour, disabled persons, pensioners *et cetera*. These groups generally have large families and poor education. The traditional social stratification based on caste system reflects and reinforces their general low incomes. Besides, women as a class are prone to destitution and exploitation when divorced, widowed or otherwise rendered homeless. The poverty of parents often forces children to hazardous labour or total destitution aggravating the poverty of the poor (Khan, 2001).

Poverty Reduction and Poverty Reduction Strategies

Poverty reduction (inter-changeably used as poverty alleviation) is referred to as the efforts aimed at improving the quality of life of those people living in poverty (Bradley, 2013). Poverty reduction strategies on the other hand, are set of measures both economic and humanitarian intended to lift people out of poverty (Wikipedia, n.d.b).

Before 1776 (when Adam Smith came with his book "An Inquiry into the Nature and Wealth of Nations"), there were four approaches to poverty reduction namely: acceptance, palliation, insurance and theft. Poverty might be accepted i.e. embraced as a sacred vow or tolerated (or railed against) as an unhappy fact of life. Poverty might be palliated by private charity, normally by the works of the devout financed by alms giving, which most religions saw as a pious duty. Poverty might be socially insured against exceptionally by the state, sometimes by implicit informal contract among members of a group or tribe; but usually by a lord or chief providing insurance to free or serf-labours because of his interest in maintaining his military or productive power and loyalty in bad times, as well as, in good times. Theft was an ethically accepted cure for life-threatening poverty. A person in imminent

danger (who) cannot be helped in any other way may legitimately supply his own wants out of another's property (Himmelfarb, 1984).

In modern day economics other approaches to poverty reduction were introduced, some of which are the economic growth approach, which focuses on capital formation as it relates to capital stock and human capital; the basic need approach, which focuses on the provision of basic needs, such as, food, shelter, safe water, sanitation, health care and basic education; the rural development approach, given that majority of the poor in developing countries live in the rural areas and aimed at providing basic necessities of life for the rural dwellers; and the target approach which favours directing poverty reduction programmes at specific groups within the country. It includes such programmes as social safety nets, micro credits and school meal programmes (Muktar, 2011).

Other approaches are foreign trade, foreign aid and foreign direct investment approaches, forced-draft industrialisation via "Big push", "Balanced growth" and "Labour transfer approaches, income and resource re-distribution, approach, stable macro-economic policies approach, capabilities and entitlements approach, institutional development approach, participatory development approach, decentralization approach, good governance approach, social capital and self-help approach and human rights approach (Rosenstein-Rodan, 1943; Lewis, 1954; Nurkse, 1963; Chenery *et.al.*, 1974; Bhatia, 1978; Sen 1985; Boeninger, 1991; World Bank, 1991; Picciotto, 1992; Bird, 1994; Bohnet, 1994; Lipton & Ravallion, 1995; Woolcock & Narayan, 2000; UN, 2002).

Legal Aid, Justice, Poverty and Poverty Reduction

In the real sense, poverty can be understood only by the poor and not by the economists who study phenomenon or by the journalists who report on it or any other professional who study same according to the dictates of his professional understanding of the concept. Poverty robs the individual of his dignity and makes it impossible for the poor to share the fruits of freedom and democracy. They are reduced to the status of vote banks in election battles and often kept out of economic calculations. They are invisible to the human rights activists and the justice system is inaccessible to them.

Given the above perspective of poverty, especially in some developing countries, one might ask whenever the law has been helpless or ineffective in eliminating poverty or at least reducing its evil effects on human life and dignity. What is the relationship between law and poverty? Are not problems of the poor, legal problems? What are the factors which condition the utilisation of the legal remedies by the poor? What is the scope of the concept of equal justice under the law and how does the system provide for equality in legal services. These related questions formed the concern of legal aid.

An honest attempt in answering the above questions requires some understanding of the legal dimensions of poverty and adequate knowledge of the people and their problems to be served through law. It will be interesting to know that the special problems of the rural poor and the urban poor separately and also to find how they compare with the legal problems of the non-poor living in rural and urban communities. Even among a given category of poor people there are likely to be differences between the problems of adults and children, men and women, tribals and non-tribals, scheduled castes and non-scheduled castes. An efficient organisation of legal services delivery system may have to take account of all these differences in the study of the legal needs of the poor and design the programme accordingly. However, one thing is certain that legal aid and justice to the poor cannot be uniform in character, organization and delivery. (Batlan, 2015)

The point emphasised in this study is that the legal needs of the poor are not the same at different places and at different times. A continuing assessment of the changing faces of poverty and the increasing involvement of the poor themselves in seeking their just rights and entitlements are essential to deliver justice in an unequal society. All that legal aid and justice can possibly do is to

help identify the problems, the bottlenecks and the injustices and provide appropriately the machinery for equal access to the legal system.

Having equal access to the legal/justice system is the concern of the poor since it is a part of legal development in all democratic and progressive societies. This assertion is manifested in the passing of the various welfare laws and allocations of funds for the welfare needs of the poor. In developing countries, planned development based on the principle of "growth with social justice" has been the pattern for more equitable distribution of resources, opportunities and incentives. Constitutional devices such as reservation for weaker sections and affirmative governmental action based on protective discrimination in favour of poorer sections have been introduced to make the system work in favour of the under-privileged and long exploited groups. (Cohen, 2012)

However, for a long time it was not realised that the utilisation of these legal benefits by the poor depended on the availability of legal services and that a variety of historical, sociological, cultural and economic constraints limited the scope of access to legal services for the poor beneficiaries. One obvious result of this situation has been either the non-implementation of welfare laws or the concerning of the benefits by the better organised, vocal sections of the beneficiary groups to the detriment of poorer sections amongst them. illiteracy, destitution, economic and social bondages, cultural inhibitions, and bureaucratic and political corruption seriously impaired the accessibility and assertiveness of the poorest of the poor resulting often in total denial of justice to them. They continued to be invisible to the formal legal system excepting as accuse and defendants in harsh and insensitive judicial proceedings. The high cost of litigation and the inordinate delay involved in the process ruined the life of many of those who attempted to resist the injustices and bought legal services at great sacrifice including their livelihood. In the resultant situation the poor came to use the legal system only when so compelled by being drawn into it as accused and defendants (Hodges et al, 2012)

Another interesting development of the limited use of the system by the poor (and perhaps the over-use of it against the poor) is the structure and organisation of the legal profession itself. The nature of services provided, the concentration of services in courts, the cost of services, the style of pleading and advocacy have all been influenced by the question of who hired lawyers for what and against whom (Batlan, 2015)

Against the backdrop of the foregoing and in a scathing indictment on the denial of legal services to the poor and in a bold attempt to make courts accessible to the poor, the Supreme Court of India in *People's Union for Democratic Rights & Others V. Union of India & Others A.I.R (1982) S. C. P 1473- 1477* observed as follows:

"... The Rule of Law does not mean that the protection of the law must be available only to a fortunate few or that the law should be allowed to be prostituted by the vested interests for protecting and upholding the status quo under the guise of enforcement of their civil and political rights. The poor too have civil and political rights and the Rule of Law is meant for them also, though today it exists only in paper and not in reality. If the sugar barons and the alcohol kings have the Fundamental Right to carry on their business and to fatten their purses by exploiting the consuming public have the 'charmas' belonging to the lowest strata of society no Fundamental Right to earn an honest living through their sweat and toil? The former can approach the court with a formidable army of distinguished lawyers paid in four or five figures per day and if their right to exploit is upheld against the government under the label of Fundamental Right, the courts are praised for their boldness and courage and their independence and fearlessness are applauded and acclaimed. But, if the Fundamental Right of the poor and helpless victims of injustice is

sought to be enforced by public interest litigation, the so called champions of human rights frown upon it as a waste of time of the highest court in the land, which according to them should not engage itself in such small and trifling matters. Moreover, these self-styled human rights activists forget that civil and political rights simply do not exist for the vast masses of our people”.

The Supreme Court through this opinion gave a warning to the judicial system of the country as well as to the legal profession in particular that they must shed their character as upholders of the established order and the status quo. They must be sensitised the need of doing justice to the large masses of people to whom, justice has been denied by a cruel and heartless society for generations. It may appear ironical that the highest court of the land had to confess its inaccessibility to the poor and initiates steps overlooking the objections of a certain section of the Bar which is obliged under its rule of ethics to render equal services to the poor. Has there been a collective institutional failure in denying justice to the poor? Or is it a failure of law itself to match up to the new values and aspirations of the constitution? Or is it the results of a deliberate refusal on the part of the poor to avail themselves of legal remedies even when provided free? Whatever be the answers to these questions, one thing is certain that the utilisation of the legal system by the poor has been marginal all these years. One of the consequences of this is that the judicial system operated unfairly to the interests of the poor. Put differently, the courts have been responsible and have contributed immensely to the unequal access to justices between the poor and the rich (The Supreme Court of India, 1982).

A follow up to the above is that legal aid is dedicated to the principle of equal justice for the poor. It envisages that the poor have easy access to courts and other government agencies on equal footing with others. It implies that the decisions rendered are fair and just taking account of the rights and disabilities of parties. Equal justice requires an approach responsive to inequalities and injustices existing in society and an interpretation that reflects the constitutional values and commitments and incorporates a humane, social-justice jurisprudence (Wikipedia, n.d.a)

Equal justice is a system that works through adversary proceedings, demands, quality representation and advocacy, effective and meaningful remedies, progressive and people-oriented substantive laws and dynamic administration free from corruption and arbitrariness. In conditions where the poor are in majority and the government is democratic, one may argue that justice will mean a positive bias in favour of the poor both in substantive and procedural laws (Shittu, 2015)

Historically, providing equal justice to the poor meant providing access to the courts and fair treatment within the judicial process. This is the traditional rationale for legal aid to the poor. This view was based on the assumption that the legal system is otherwise sound, fair and effective and its integrity will suffer only if access to it is unequal. However, the concept of access has been undergoing transformation under the influence of democracy, collectivism and planned development. While there is no question that access to the court is one necessary means of assuring equal justice for the poor, providing the indigent with a lawyer may have only a minimal effect in reaching that goal (Bodenhamer, 2016)

New remedies, effective innovative strategies, competent advocacy and client participation may become essential to achieve real equality. This may need substantial changes in legal proceeding, canons of interpretation, legal education, organisation and methods of the legal profession and the technology of identifying legal issues and determination of social facts. Otherwise, how can equality be achieved by mere lawyer representation when the adversary commands disproportionate wealth, power and information. Governments or big commercial houses do have enormous staying power as compared to a poor litigant even if he has a capable lawyer (Batlan, 2015)

Therefore, equal justice in the content of poverty implies not only legal services to enforce existing rights and beneficial entitlements of the poor but also use of legal services to develop new rights and

entitlements by challenging unfair practices in society and government. In other words, legal aid in a developmental, social justice context implies that it is positively reformist in content and progressively egalitarian and activist in methods. Legal aid in this changed context requires confronting poverty and the conditions that produce poverty and challenging the individuals and institutions which perpetuate it (Bodenhamer, 2016)

In tracing the history and development of legal aid to the poor, Cappellati *et al* (1978) wrote on the rationale for prevailing moral, political and legal philosophy. Thus, for many centuries throughout continental Europe and England, legal aid was given, if at all, as a charitable, but not a legal obligation. The lawyer's duty was, for practical purposes, nominal rather than real; at best it provided "poor justice" for the poor. This was in tune with the prevailing religious notions and laissez-faire philosophy with minimal involvement of the State in socio-economic programmes.

In some European countries, the egalitarian ethic of the French and American revolutions and the social democratic and labour regimes led to the establishment of legal aid as a matter of right (natural and, sometimes, statutory) to be paid for by the State. Formal equality before courts was provided through statutory provisions. However, real equality or effective access eluded the poor and poverty remained unaffected by legal development. The use of law for reducing economic and social inequalities and promoting social justice by affirmative State action provided a new rationale for legal aid in most developing societies during the last three decades. For the first time, the relationship between legal services and poverty was recognised by advocates of legal aid only in 1960s. The development of the State funded legal services as part of the anti-poverty programme in the United States during Johnson administration focused on the role and relationship of law, legal aid and poverty in that country (Cappellati *et al*, 1978).

It will appear too preposterous to believe that given increased legal aid to the poor, poverty can be eliminated in the foreseeable future. The focus of legal aid is on distributive justices, effective implementation of welfare benefits and elimination of social and structural discrimination against the poor. Economic equality is a complex problem involving a variety of forces many of which are not yet susceptible to legal control. Therefore, the impact of even a dynamic legal services programme on poverty can only be marginal. It can make people aware of the socio-political processes and the role in them; it can increase opportunities for economic improvement; it can help implement government welfare schemes more effectively; functioning against the poor; it can be an essential input in developmental planning and social justice administration. However, legal aid cannot be a panacea for all economic ills. Nonetheless, the potential is sufficient to warrant a significant place for legal aid in antipoverty programmes of the government particularly in developing countries (Batlan, 2015)

Conclusion and Recommendations

This study emphasised that it is not enough and sufficient to say that the lack of income to sustain ones means of livelihood is an indicator of poverty, but poverty can also be seen for the lack or inadequacy of many other varieties of life. Where the rights of a man who though not ordinarily poor is infringed upon and such a man is unable to have access to the courts (the custodian of justice), where such rights can be remedied, it goes without saying that such a man may be subjected to losing valuables and thereby resulting into poverty. Thus, equal access to justice to all through legal aid therefore will go a long way in checking and ameliorating abject poverty which has become endemic in most of the developing countries.

In this regard, governments of developing countries are called upon to ensure that all citizens irrespective of political, social and economic status have equal access to justice. The legal aid scheme should be reinvigorated to meet the varieties needs of the poor instead of offering legal services alone; it should be broaden to include not only legal services but also legal awareness, legal mobilisation, public interest litigation, law reform and a variety of strategic and preventive services which in themselves will along way reduced poverty. Also related to this is the provision of adequate and

proper funding and recruitment of qualified staff into the judiciary so as to increase access to justice by indigent members of the society.

On the other hand, the poor on their own should endeavour to avail themselves with all the available opportunities provided by the government to see that their rights when infringed are remedied through legal aid. The lackadaisical attitude of not willing to press home ones rights should be discouraged as much as possible. This will greatly assist the poor to get justice and hence reduced poverty in the society. The principle of alternative dispute resolution should be encouraged so that disputes and conflicts are resolved through mediation rather than going to court.

More importantly, courts are commended to relax their rules that are always characterised with rigidity so as to give equal access to justice to all without any technicality or rigidity. Most poor are always reluctant to seek for justice in the court of law because of the nature of the proceeding which takes too much time before it is concluded. The time consuming and cumbersomeness of the litigations should be done away with by the courts so as to avail the poor the rights to obtain justice. The court precedence should be made less cumbersome and less expensive so that it becomes easy for all and sundry to have access to court.

Also important is that the government should ensure that people of high integrity and other good qualities should be considered in the appointment of judges. Their appointment into the judiciary should be made open and transparent. There should be good and handsome remuneration for the judicial officers and their staff. Above all, there should be financial autonomy to the judiciary as well as the legal aid scheme.

Finally, there should be law-related education in the school system. Legal education should be taken to the people and most importantly, there should be a national commission that should be vested with power to oversee civic education and other related matters that are pro-poor.

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