

SOCIAL WELFARE POLICY AND THE PROTECTION OF THE RIGHTS OF THE AFRICAN CHILD

NATHANIEL ASIBOR

Introduction

In today's world, one of the major differences between developed and developing countries is the height attained in the aspect of children's rights, welfare and protection. Many industrialized countries have developed adequate social systems that guarantee children's rights and welfare while most developing countries have made little or no advancement, therefore creating a chasm in the standard of living for children in both worlds. Unfortunately, most African countries fall into the developing category.

Throughout the African continent, children are subjected to very harsh realities of life in the developing world because there are little or no effective policies to secure their welfare and to protect their rights. In this paper, I discuss some problems faced by African children and proffer creative policies to safeguard their welfare and to protect their rights.

The Condition of Children in Africa

A lot of treaties have been agreed upon by governmental and intergovernmental organizations to secure the welfare and protection of children such as the United Nations Convention on the Rights of the Child (UNCRC) and the later modification of those rights in the African Charter on the Rights and Welfare of the Child by the African Union in 1990. Yet, majority of African children are still denied their social rights.

In 2014, the whole world was stunned at the abduction of 276 Chibok school girls in North Eastern Nigeria. This is one of the notable cases of insecurity that African children face on daily basis. Violence and insecurity is widespread in most African countries in the form of terrorism, bad governance, religious or ethnic conflicts. Children, being down the vulnerability ladder, suffer the most under these adverse conditions. They are the proverbial grasses in the battle of elephants.

This violence has led to the displacement and forced migration of people in affected regions. In 2015 for instance, more than 2.4 million

The lack of adequate opportunities for education is a major problem faced by African children. Along with the lack of basic health care, access to education is the root of the child welfare challenge.

people in 14 African countries were displaced, with Nigeria accounting for more than 30% and the Democratic Republic of Congo 25% (IDMC: 2016). Children make up the bulk of the refugees and internally displaced persons (IDPs). In addition to the psychological effect of war on their fragile minds, forced migration and precarious living in make-do camps are also detrimental to their well-being.

In the course of these conflicts and wars, many African children have been indoctrinated and recruited as combatants or used as support personnel. This is not only illegal, but morally reprehensible. It is estimated that up to 120,000 children are currently used as soldiers in Africa, with South Sudan and Central African Republic having the highest numbers (HRW: 2012).

Sadly, frequent cases of coercion of children into becoming suicide bombing missions have been observed in Nigeria, with Boko Haram militants reportedly sending some of the

abducted Chibok school girls on suicide bombing missions.

The lack of adequate opportunities for education is also a major problem faced by African children. This is often due to resource limitations, parental ignorance about formal education or inaccessibility to educational institutions and facilities. In Nigeria for example, it is estimated that over one-fifth of children between the ages of 6 and 11 are out of school. An additional one-third of children between the ages of 12 and 14 are school dropouts. These out-of-school children form the bulk of Almajiris (an Arabic word meaning immigrant) who are reportedly used as foot soldiers in Northern Nigeria by religion extremists.

Violence against children is a widespread phenomenon across Africa, and it comes in many forms. Pedophiles taking advantage of the innocence of children even as little as five months old has been on the rise, with about 50 cases recorded in Plateau state in one year (Premium Times: 2016). Other social practices and vices have negative effect on the welfare of children. These include female genital mutilation, the disturbing incidents of children being accused of witchcraft on cultural or religious grounds, and the maltreatment of children by their supposed guardians.

Added to this is the practice of child-trafficking which is still in many parts of Africa. Children are trafficked within states and across borders for the purpose of cheap domestic service, prostitution and exploitative labor. Child marriage is also prevalent in Africa, especially in poor communities. Nigeria is said to be home to the largest number of child brides in Africa with about 23 million girls married off in childhood (The Telegraph, 2015).

Lastly, the health care systems in most parts of Africa are struggling to meet international standard. Vaccinations for common diseases and medicines for treatable ailments are still unavailable to children who need them most. Due to this, Africa has the highest percentage of neonatal deaths (38%) and under-five mortality rate

The Way Forward

Having discussed some of the problems faced by African children above, it necessary to state that most developed countries encountered some of these problems at some point in their past, but through child-centered welfare policies, they were able to overcome those hurdles. Social welfare policy planning is key to addressing the challenges of children rights and protection in Africa.

Social welfare policy is an integrated system of social services, benefits, programs, social justice and social functioning in a caring and enabling environment. "Social welfare in its narrowest sense includes those nonprofit functions of state or voluntary interventions of groups/individuals, which are clearly aimed at alleviating distress and poverty or at ameliorating the casualties of society."

To begin with, children in war-torn areas who have been relocated to IDP and refugee camps are in dire need of welfare policies that would better improve their living condition. Using Nigeria as an example, camps for Internally Displaced Persons are confronted with daunting challenges. Foremost of all, the health and well-being of children in these camps should be of utmost priority.

All IDP camps should have well-equipped health centers with qualified medical practitioners. Medical graduates undergoing the compulsory national service program should be posted there on a rotational pattern. Basic drugs and equipment must always be available. Since children are peculiarly prone to malnutrition, nutritionists should be available in all camps to ensure adequate micronutrient intake among children.

Rehabilitation of children in these refugee camps is also essential. This should be done through education, physical exercise and psychological therapy. Adequate provision should be made that the children are educated. English language, mathematics and basic science should be taught. Social education will allow the children imbibe a spirit of patriotism and professional psychological help with healing the agony of the war should be provided.

For the children school dropouts who are not in refugee camps, education remains the most powerful instruments of reducing poverty and inequality and for laying the foundation for sustained socio-economic development. For this reason, it is pertinent for government to make education very affordable and accessible, especially to the less privileged who make up the bulk of those out of school.

The Universal Basic Education Act (2004) part 1, section 2 & 3 makes provision for: Right of a child to compulsory, free, universal basic education and the provision of free services in public primary and junior secondary school. Therefore, the financial position of parents should not be a hindrance to child's basic education. The next necessary policy should be a school feeding programme. Feeding children in school might appear simple, but it works miracles. School feeding not only fills stomach, but has a proven track record of boosting enrollment, attendance and academic performance.

Also, a transportation policy should be implemented because some children walk long distances to get to school. Buses should be located in strategic areas where students would board to their various schools. In addition, frequent curricular and extracurricular competitions, should be organized for children to keep them gainfully engaged. All these policies will not only reduce the number of out-of-school children, but would also improve their mental and physical well-being.

Securing the health of children is also very important so as to reduce mortality rate and raise a generation of healthy children. Starting from infancy, immunization should be free and readily available. Children below the age of 5 should be treated at very subsidized rates while sanitization and fumigation of densely populated areas should be carried out frequently.

Protecting Children's Rights

The United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child has vested

in children a lot of rights. Due to lack of political will, cultural and religious beliefs however, these

rights are often trampled on. The most important step towards protecting children's rights is for governments in Africa to make these rights top priority in social welfare policies. Current policies should be reviewed and vague laws should be made explicit, because most offenders escape prosecution due to different interpretations of vague laws. One of such vague laws is on child marriage.

According to the UN and the Child Rights Act of Nigeria, sections 21 and 22, the legal age of marriage is eighteen, but the brazenly manner in which children are married off, even to some public officials, only shows the ambiguity of the law. According to some religious laws such as the Sharia law, there is no established minimum age for marriage. Therefore, most offenders hide under the excuse of this religious law to commit preposterous acts that amount to child abuse. In Nigeria, the ambiguity of the law relating to marriage should be addressed. Provisions such as section 29, (4)(a) of the Nigerian constitution which states that: "Any woman who is married shall be deemed to be of full age" should be amended to make clear the minimum age for marriage.

In 2015, a law approving life imprisonment sentence for child rapists was approved by the Nigerian senate. African countries without such law should follow suit in order to put a stop to the disgraceful incidents of child sexual abuse. Identities of offenders should be published a deterrent to potential offenders. Reported cases of domestic workers being sexually harassed and abused has been on the rise. Stemming this trend requires legal reforms and the concerted efforts of social welfare and public safety agencies, community leaders and human rights activists.

Concerning child labor, states that have not yet signed the Child's Rights Act should do so without delay. This is necessary because majority of Northern Nigerian states have not passed the Act into law. Consequently, child labor is more prevalent in the northern region. Street hawking should be prohibited for children as it makes them susceptible to various vices. Parents of those caught should be fined heavily or sent to jail.

For all this to come to fruition, it requires a strong infrastructural capacity, financial resources, competent and committed workforce and

political will. All government agencies involved in children welfare should be properly funded and given sufficient legal authority to pursue their mandates. For the purpose of speedy trial of violators, a special children's court should be established and public prosecutors with necessary experience should be assigned to aid victims.

Government should embark on a massive enlightenment campaign for the masses, as many citizens are ignorant of these laws relating to child welfare. Accessible and secure whistleblowing programs through which patriotic citizens can report offenders should be provided.

Conclusion

As discussed above, social welfare policies and protection of African children's rights is a necessity and a challenge which must be tackled by all responsible governments. It might seem costly and rigorous, but it is important to note that investing in children's welfare is not a national luxury or choice, but a national necessity. Former UN Secretary General, Kofi Annan has noted that:

"There is no trust more sacred than the one the world holds with children. There is no duty more important than ensuring that their rights are respected, that their welfare is protected, that their lives are free from fear and want and that they grow up in peace".

Therefore, all governments and citizens should collaborate in serving the best interest of children, as it is in the best interest of humanity. Nathaniel Asibor.

References:

"More than 120,000 child soldiers fighting in Africa". Available:

<https://www.hrw.org/news/1999/04/18/more-120000-child-soldiers-fighting-africa>.

"IDMM Africa Report On Internal Displacement".

"50 child rape cases recorded in plateau in 1 year". Available:

<https://www.premiumtimesng.com/regional/north-central/211396-50-child-rape-cases-recorded-plateau-1-year-comissioner.html>

Aislinn laing, "Africa's childbrides to reach 310 million as continent's population grows".

Available:

<http://www.telegraph.co.uk/news/worldnews/2017537/Africa-child-brides-to-reach-310-million-as-continents-popultion-grows.html>

"Under-five Mortality" Available:

http://www.who.int/gho/child_health/mortality_under_five_text/en/

"The 1999 Constitution of the Federal Republic of Nigeria".