

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

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“Man is by nature a social animal”, the famous Greek philosopher Aristotle once mused. This explains that man as a specie must depend on “society” for survival. However, rewarding society is for survival, it can equally be detrimental to man’s survival. Problems of inequality, oppression, vulnerability and especially poverty represent the ugly side of society, hence the development of social welfare schemes to alleviate these problems.

Social welfare policy generally refers to guidelines, principles, legislation and activities that affect the living conditions conducive to human welfare, such as a person’s quality of life. Societies dating back to antiquity have established systems to provide some level of social protection to its members.

Social welfare systems can be traced as far back as the 6th century when Umar ibn al-Khattab, an Islamic caliph used his government resources to establish pensions, income support, child benefits and various stipends for his people. Following the industrial revolution in the West, sociologists and social researchers such as Auguste Comte and Charles Booth helped in pushing for the establishment of social welfare policies in the first industrialised countries.

Over the years, social welfare policies have expanded to various important areas of living such as justice, social security, unemployment, insurance, health care, child protection, criminal justice and so many more. Social welfare was introduced to Africa largely by colonializing European powers and missionary groups such as the Salvation Army and the Roman Catholic Church.

At the centre of most social welfare policies is the protection the child. A child, according to Article 1 of the most prominent international legal instrument for safeguarding children’s rights and wellbeing, the United Nations Convention on the Rights of the Child (UNCRC), is defined as “...every human being below the age of eighteen years.”

Children today are growing up in a rapidly changing society where new and modern concepts of family structures, lifestyle variations, technological advances and other changes in the broader social structure are putting pressure on societies and communities to adapt to

changing times. Such transitions present a number of challenges for all members of society, especially for children.

The African child is a peculiar child faced with all these challenges, yet is budding with gifts and talents and need to be given the right opportunities to shine. The African child represents the future of Africa. As the former US president, John F.

Kennedy famously stated, “Children are the world’s most valuable resource and its best hope for the future”.

The African child is entitled to certain rights which should make it make it possible for him or her to live up to their full potential. Social welfare policies are necessary for the promotion of such rights. According to UNCRC (1990), the rights of the child are based on four key pillars. These are survival rights, development rights, protection rights and participation rights.

The survival rights deal mainly with the right of a child to be born, nurtured, to grow in a conducive and secure environment and the

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general health needs of the child. Development rights involves child's rights to education, leisure and recreation, socialization, parental care and access to information, cultural and artistic activities. Protection rights include the child's rights to identity and registration, rights to protection from drugs and substance abuse, physical abuse, child labour, child trafficking etc. Participation rights deal with giving children the right to be involved in matters that impinge on their welfare.

Although, the rights of children are well-articulated in many African countries, Africa has some of the most widespread reports of child abuse. Children in Africa are being abused and violated in alarming rates every day. In some societies children are valued but are seen as passive members of society. Their opinions are usually not requested, and even if given such opinion are shunned or not taken seriously.

Africa, according to a study conducted by the United Nations International Children Emergency Fund (UNICEF), has the highest rate of child labour in the world. Nearly one third of children between 5 and 14 years in these regions are engaged in labour in factories. Children are forced to take up economic responsibilities and become family breadwinners, going out to earn income at a very tender age. Some children are hired off in cities to work as domestic servants where some of the girl-children are sexually abused. This of course is not only detrimental to their education, but also exposes them to various psychological and health risks.

Such vulnerable children also suffer physical abuse such as corporal punishments on a daily basis. Some of these abusive practices are rooted in cultural and religious beliefs that prescribe ways of raising children that may not in fact be in the best interest of the children. For example, biblical quotes such as "spare the rod, spoil the child" are used as justification to perpetrate inhumane punishments on children. There have been reports in Nigeria of parents and guardians pouring hot liquids such as oil, water or even soup on erring children. There have been reports of parents flogging their into coma, and in some extreme cases even leading to death. Children have been burnt, starved, ironed, branded, locked out, locked in

and so much more as punishment for their actions.

According to the children's rights advocacy group, Solidarity Helping Hand, "One child is raped in South Africa every three minutes...". South Africa and Zimbabwe rank first and third respectively in the top 5 countries with the highest rates of child sexual abuse according to official statistics and reports gathered by IBTimes UK in 2014. This list, which also consists of India, United Kingdom and the United States of America leaves Africa with a whopping 40% share of child abuse.

The University of Cape Town released South Africa's first study on the annual national incidence of child abuse in 2016 where it highlighted that a total of 784,967 South Africans have been sexually abused at least once by the age of 17 and that boys have been equally as vulnerable as girls. Also, one in ten children who had experienced sexual abuse by a known adult had had this experience four or more times. These, however, are only reported cases. In Kenya, Ghana and Nigeria, numerous cases have been reported as well. Worse of all is the stigma attached to victims when they go public with their stories and this has led to victims of sexual abuse to remain silent about their experiences.

It is estimated that about one third of women aged 20-24 in Eritrea, Ethiopia, Kenya, Somalia and Tanzania were married out before their 18th birthday. Child marriage is another prevalent child rights violation in Africa which is deeply rooted in culture and religion. In Somalia, 98% of women have undergone the dreadful practice of female genital mutilation according to a UNICEF report. This is the highest rate in the world. This, however, does not restrict the practice to just Somalia as it is performed across many countries in Africa. The popular belief that "female circumcision" is a necessary act to curb promiscuity amongst young girls and women is mostly why this heinous act is still being practiced. The detrimental effects it poses on the health of victims cannot be overemphasized.

Children in Africa have been and are continually subjected to many other heinous abuses that cannot be exhaustively discussed here. There is, for example, the 2014 kidnap of

school girls in Chibok town in Northern Nigeria. Somalia and Sudan are notorious for groups recruiting children into armed militias. Children are victims of social unrest, conflict and war such as in the Burundi political crisis of 2015. Also, children are sometimes abandoned by unprepared parents while children are simply treated as commodities in some regions.

Many countries in Africa, such as Kenya, Nigeria and South Africa have put in place social welfare policies for children. Awareness and budgetary allocation for implementation of these policies have been on the rise. However, these initiatives have not developed enough to sustain policies for the protection and proper development of the African child. Social welfare policies, before they can gain any relevance, need to be enforced morally and legally.

Governments are ultimately the best guardian of child rights as it is responsible for the creation and implementation of welfare policies. Therefore, social welfare policies should be drawn to meet the peculiar needs of children in each region. Such policies should be reviewed constantly and improved on when necessary. Policies should be simple and straightforward, have short and long term goals, and should be driven above anything else by the best interest of the child.

Public enlightenment programmes are probably the most effective tool for promoting and protecting children's rights. National and regional campaigns should be embarked on to sensitize and educate the public about the need for protecting the rights of children, especially in areas where child-adverse cultural practices are prevalent. Social media campaigns similar to the #BringBackOurGirls campaign for the kidnapped Chibok school girls should be effectively replicated. These could be campaigns targeted at specific child abuse issues, for example, #SayNoToChildBrutality and #AfricaUniteAgainstChildMarriage campaigns.

Celebration of child rights holidays like the June 12, World Day Against Child Labour etc would also go a long way to promote the protection of children's rights. Non-Governmental Organisations (NGOs) such as religious groups, orphanages and other philanthropic

organizations should take matters of children's rights very seriously by creating public programmes for the protection of vulnerable children.

Special care should be provided to orphans, displaced children and those with disabilities by providing foster homes and special welfare centres for them. Legislation should be put in place and enforced thoroughly to ensure that policies are followed and implemented. Corruption should be curbed and funds allocated for establishing standard facilities for children such as schools, recreation centres etc. should be duly accounted for. Prosecution of child rights offenders should be stringent and transparent.

The family is very important as it is the basic structure of African life. Here, a child learns the basic principles of life and receives the best nurturing. On the strength of this, parents and elders in the family setting should show love, care, and concern to the needs of children. Children should be given adequate and appropriate knowledge of the dangers of the outside world and how they can protect themselves. There should be strengthened support for children going through the transition from childhood, adolescence and adult phases, especially in terms of physical, sexual and mental health. This can be done by giving age appropriate education on these three key issues.

Finally, the community, like the family, plays a central role in the development of a child. There should be general care from the community for children, especially in terms of safety and security. Every member of the community should be tasked with protecting children against domestic abuse, kidnapping, violence etc. Stigmatization should also be discouraged. It should be the duty of every adult, regardless of his/her relationship with every African child, to provide protection and support. These are valuable traditional African child protection norms that should be replicated in modern society.

While social welfare policy should emphasize the importance of safeguarding children's rights, it is crucial that children should also be made aware of their responsibilities to their parents/guardians, those responsible for their

care (such as educators), peers family, community and also to the State at large. It is imperative that in order for children to grow up and become active and responsible citizens of their societies, they need to be respectful of their primary caregivers, their community and each other. Only through reaching a synergy between children's rights and children's responsibilities can social cohesion and social well-being be ensured.

In conclusion, the ultimate aim of such policies is to work towards the realisation of the full potential and well-being of all children, while encouraging society to foster respect and value for every child, regardless of his/her different characteristics, abilities and socio-economical background. Africa is blessed with a lot of natural resources; thus, children should be viewed as assets and blessings, and should be treated with love and care as they are the future of every society. If we can safeguard and protect the future of the African child, the future of Africa will indeed be bright.

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