

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

BARNABAS AKHARAME

As defined by the African Charter on the Right and Welfare of the Child, a child is anyone under the age of eighteen. A citizen on the other hand is anyone who by birth, naturalization, conferment becomes a member of a state. Unlike in most parts of the Western world where childhood ends at the age of eighteen, this is not completely so in many African countries where one only becomes an adult after attaining certain social milestones. Communities in Africa have different structures, legal procedures and institutions that shape the transition from childhood to adulthood. In modern parlance, the definition of a child is perceived and construed around an "age" as opposed to the traditional African tradition where the definition of a child is determined by qualities that demonstrate maturity. However, the definition of an child as one under the age of eighteen is inherently advantageous because it guarantees the protection of the child up to the attainment of age eighteen.

Various treaties and agreements have been put in place over the years to ensure the protection of the rights of the African child. The first among these is the International Declaration of the Rights of the Child of 1924 which states clearly, among others, that "mankind owes the child the best it has to give." Second among such agreement is the Universal Declaration of Human Rights of 1948 which proclaims a catalogue of rights applicable to all human beings and by implication, to children who are recognized members of the society. A related document is the Declaration of the Rights of the Child of 1959 which owes its uniqueness to its

child-specific nature. The document proclaims that the child should enjoy all the rights in the declaration without any discrimination. It is noteworthy however that all the other agreements before the Declaration of the Right of the Child of 1959 are not binding on states. The Declaration of the Right of the Child of 1959 is the first legal binding treaty to address the rights of the child comprehensively. But as the need to have a charter on children's right in Africa became imminent, this led to the formulation of the African Charter on the Rights of the Child. The document contains certain rights of the African child which includes, but not limited to Rights to Education (Articles 28

and 29 CRC; Article 11 ACRWC, right to Health - Article 24 CRC; Article 14 ACRWC), protection against child abuse and torture (Articles 19 & 37 CRC; Article 16 ACRWC), prohibition from harmful social and cultural practices (Article 24(3) CRC; Article 21 ACRWC), prohibition from discrimination (Article 2 CRC; Articles 3 and 26 ACRWC). The Charter also sets minimum age for military service.

Despite these provisions, various actions by members of the society have trampled upon the rights of African children through

negative actions such as rape, abandonment by parents, sexual emotional and physical abuse, negligence to the needs of the child, child marriage, incest, female genital mutilation, sexual molestation, and forced conscription into the army to mention but a few. The key question that confronts many societies and government in Africa is how do we protect the right of the African child in accordance with the provision of national and international human rights provisions? As a wise man once said "we have so many men that observe and exposes the ills of the society in a masterly way but, the

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society craves for men who would change it for good and not just interpret its problems.”

The very first measure we can take in protecting the rights of the child is to have proper understanding of who children are. It is often said that “when the true importance of a thing is not known, abuse becomes inevitable”. Children are the future of any society, the hope of tomorrow, and they are those that will continue the race from where elders stop. They are those that will continue with the legacies of the present. As such, they should be treated with respect and valued because as it is said, “the worst failure in life is the most successful Emperor without any one to carry on from him”

Second among these measures to protect children’s rights is education. Education should be used as a conscious effort to inculcate in the African child, a sense of right consciousness. This can be achieved by introducing the Child Rights Acts into all levels of teacher training curriculum. This is because teachers need to be equipped with the necessary skills to create in children, a consciousness of their rights. Also, education should be made free and compulsory, at least up to senior secondary level, so as to enable every African child acquire basic knowledge of his or her rights. Teachers should also treat their students with a consciousness of their rights because children learn the fastest when they are taught by examples.

Education still remains a powerful weapon for creating right consciousness in children. As the great South African leader Nelson Mandela once opined, “Education is the most powerful weapon with which we can change the world.” A primary goal of education should be “the training of students to prepared them to live fulfilling adult lives and contribute meaningfully to their societies. We can also protect the rights of the African child by enacting strict laws against any form of child abuse. It is the responsibility of government and the broader society to take a step further by jointly enforcing these laws that have been enacted to protect the rights and welfare of children. This will serve to reverse a culture of child exploitation and neglect. We can also protect the rights of the African child by constantly engaging in child-right campaigns. This should not only be taken up as a responsibility by governmental as well as

non-governmental organization, but also by individuals as this will create a sense of awareness in the society. In addition, unwholesome religious and cultural practices manifesting as child marriage, female genital mutilation, incest, and sexual abuse should be proscribed.

Another major method which can be employed in protecting the rights of the child is the promotion of good parenting as well as encouraging teachers to watch out early for any sign of child abuse of children. This can best be achieved by parents as well as teachers being friendly to children, thereby enabling children to see them as friends and confidants.

We can as well protect the right of the African child by avoiding wars That is, seeing wars as the last resort in conflict resolution. Wars induces misery, economic difficulties, criminality such as arms and drug trafficking, loss of property and loss of lives. All these have the most adverse effect on children who often bear the brunt of wars and conflict. We can work to protect the rights of the African child by encouraging leaders of religious organizations such as Pastors, Priests and Imams to discuss issues of child rights in their places of worship as a way of bringing the message to the grass roots.

Children's' rights and welfare can also be protected and promoted by engaging in campaigns against uncontrolled births as well as having children beyond parents' caring capacity. Government can as well go a step further by making family planning free of charge or by subsidizing its cost for couples. This would reduce the number of unwanted children many of whom are simply abandoned without care or trafficked. We can protect the rights of the African child by providing counseling and rehabilitation centers for children who fall victims of wars or natural disasters as this would go a long way in creating a feeling of being wanted by society in the child.

Promoting the rights of the child is a collective responsibility. It is not a responsibility solely for law enforcements agents or the governments, but a collective responsibility of the individuals in society. The welfare of children ultimately

depends on how seriously adults and parents in the society take rights of the child.

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