

Culture and the Child's Right: The Many Ways Most Cultures Abuse the Rights of the Child

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Abstract

Cases of child abuse in modern worlds are becoming alarming. They come in various ways; dimensions, social or cultural forms. The way most cultures abuse the rights of the child is also becoming apparent. Going by the Child's Right Protection Act, one observes many instances which is allowed as tradition in the supposedly development of the child. A review of the rules of engagement with the child is vital so that amendments or new rules could apply where necessary in order to adequately and completely protect and prepare the child for a healthy and fruitful future despite challenges of its environment.

Key words: Child abuse; The rights of the child; Child's Right Protection Act

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INTRODUCTION

Instances of child abuse are on the increase even when the International Child's Right Charter is gaining ground. The reason why most of its practices are not apparent is that it is indirectly applied and also covered by certain cultural norms or social behaviours. Some well meaning individuals may not know, appreciate or understand the difference between abuse and training; between

correction and humiliation or between encouragement and intimidation, perhaps, because of cultural orientation or because the subject or appellant is a child. This is also, often apparent in most parental care.

The child is most of the time exploited and intimidated in many ways in most cultures. The adult use the opportunity of being superior by age, experience and knowledge to deny children their right. A simple example is where some parents tell their children that meat is for adults and not for children, especially where it could not go round during a meal time.

Generally, most cultures regard such inhuman practices as normal for the development or training of the child but its psychological trauma can have negative influence on the personality of such children in adulthood. There are many cases which this article points out. For example, in some Igbo enclave, there is this children's song about the sharing of the parts of the meat between the adults and the children. It reads thus:

Ukwu ewu (Goat leg)
Aka ewu (Goat hand)
O mu nwe? (am I the owner?)
Ndi comiti nwe onu ya (committee people own the neck)
Umu nwanji nwe ukwu ya (women own the waist)
Umu akwakwo na-aza ezi (school children that sweep the compound)
Nwe mgbari ma afo ya (own the intestine)

In this state, the child's right is the intestine. When the chips are down, this practice is exercised as custom in a modern world. Looking at this song, line two (2) stands like a question by the child, asking, whether he owns the leg and hands too; knowing that this part belongs to it also. The reality is that the child can easily be pleased with or without anything. A child beaten, in the same minute forgets the pain in another minute and could go back to its oppressor no matter how bad, especially when it has no choice; and will always accept what is given it. This is a delicate condition psychologically. The mind of

the child is influenced by its environment (Ubani,2020, Culture and Corruption in Modern Societies: the Youth and Development). Thus care must be applied to avoid a lifetime of traumatized personality or phobias that could mentally affect a progressive psychological growth into a healthy adulthood.

WHO IS A CHILD?

The "child" is "a person who has not yet reached adulthood," (wiktionary). A child is often regarded as a novice, green horn, a beginner or inexperienced. It is often situated at the stage of training, learning or apprenticeship. It gathers knowledge by what it is told or what it has experienced. Thus a child is what the environment puts in it despite other natural endearments or endowments that form his character. His character development is often influenced by his environment which involves his parents, school, culture, community, peer group, religion and the general social institutions. Puberty, the teen and, adolescence come under "minor" and child's protection rights. Until age eighteen (18) a child is under care before it is adjudged "mature" to act responsibly and take care of itself. In an underdeveloped society, most children don't grow up or mature into positive adults because of the environment which is not a discourse in this article. In exceptional cases, most children who are involved in crime stands the test of the law (court). For example, children between the ages of fourteen and eighteen can carry gun or be involved war and terrorism or armed banditry. Such cases under criminal jurisdiction are liable to punishment, imprisonment or correction centers as their cases establish. But the real concern of this study are children under the age of delicate care between one (1) and twelve (12) years. The Google dictionary describes the child as a young human being, "below the ages of puberty or below the legal age of majority".

In some countries, the child is a 16 year old. World Health Organization described the child as a 19 year old or younger unless national law defines a person to be an adult at an earlier age. An infant is one younger than one year of age. Unicef defines a child as any person under the age of 18. The convention on the rights of the child have about fifty –four (54) points of right that should be recognized by all but it is tragic that some cultural norms still abuse these rights directly or indirectly.

The history of the child's rights has shown the many ways the society have been demeaning the child and have also been trying to correct it. Most adults passed through these huddles in their development into adulthood. Some children did not or could not survive under many of these conditions which includes, war, abortion, domestic violence, rape, and other cultural practices.

From the above examples, a child is not counted above nineteen (19) years. Generally, this analyses, puts all the teen and below as children and as minors, for now,

until the society approves otherwise. As Boroffice puts it, "Adolescent is that phase of life between ages 10 – 19 years (WHO, 1993)

Negative influence of Adult on youth or children in the society in unbecoming and as Olarwnwaju (2004) noted, "it is sad to note that adults are not showing good example for adolescents to emulate in the society." He quotes Bolaji (1970, P.108) thus;"Most of the abuses we have been talking about are perpetrated by the elders and it is true that the youths are in many cases initiated into corruption by the elders." As Adeyemi (2004) concluded, "Good parenting of the adolescent will help the adolescent develop his/ her potentials."

RELIGIOUS ABUSES ON THE CHILD.

Cultural and religious practices affecting child's right has been revealed by a modern world in many ways considering its negative effect on the healthy growth of the child. This is because the child can be prepared for a fruitful society of the future but some cultural or religious practices will make it difficult or impossible. To keep a child hungry in the name of fasting for long hours of the day is tantamount to abuse. Inflicting pain or punishment as a method of spiritual correction is abnormal. Those who claim to be civil are still patrons of this type of treatment even to their own children. Some go to the extent of taking life in the attempt to stop what they regard as evil influence. The Igbo Ogbanje was a better treatment of the child because they mark the child at death so that when it comes back to the world a second time it will be noted and certain things are done so that it will not go back to where it came from.

Historical antecedent: There are many instances from different cultures. From history, the killing of children or twins for one reason or the other is no news in some cultures in Africa. Some children in the past are used as sacred subjects, sacrificed to idols especially, virgins. This fact is indirectly related to most ritualistic tendencies and religious creed in some modern societies, especially in esoteric circumstances. Some parents are active participants in this practice. Some children have been branded witches, and killed or put into terrific conditions. This is exactly the same with children like twins, thrown into the evil forest in the past. There is the example of Abraham and Isaac but God exchanged it with a ram. In recent times ritual killing is no more a strange news and children are majorly involved. The child must be protected from the so called spiritual inculcation which is ruling some societies or families. Initiating children into all forms of occult practices from birth may not be ideal in a modern world just like scarification or tribal barks are no more fashion for most modern societies. The child may not be pleased with such initiation when it becomes adult.

In the introduction, an example is given with the sharing of the meat. This is not to encourage the child to

be haughty or disrespectful especially to parents. There are many positive ways to bring up a child and not only by intimidation, beating or exploitation. The child must be taught to be confident in his personality, trusting the parents and the way to behave well before his people and the public. It is not only by beating and punishment but by good and admirable example. The child must not be frightened, fear the parents or adults but to hold them in confidence. When one scares a child, one might miss the true presence or companionship of the child. This is why the Christian Bible gave an example of how to show the child the way to go so that when it grows up it shall not depart from it or of how Christ welcomed children as the example of those that will inherit the kingdom of God, saying no one should scare them from Him for the heaven which He is talking about is for people like the children. Some children are happy when their parents are not at home while some miss their parents absence. No matter the reason for these choices by the children it must not be a negative one otherwise it is a wrong signal.

In Igbo culture, the child leaves the seat for the adult; in Yoruba culture the child bow for the adult; almost in all cultures the child is expected to obey the adult but it will be an abuse if the child should bow to the wrong motives, tendencies or accept to be an accomplice to abnormal situations because as custom permits, the child has the right to reject an offer of calumny or immorality. It should be protected against it. But most often the child may not know what is right or wrong but could instinctively object to abuse until conquered by its habit or liability.

The Iria culture of the kalabari is still practiced indirectly; also is the "ahia mbibi," of the Igbo Ukwu clan. (Uzoezie, 1990: Ugo Magazine),

"Because like the "Ichi", the "mbibi" operation was performed without anaesthetizing the body, it must have involved a lot of pains and loss of blood on the part of the subject. For this reason, the girl who underwent an "mbibi" operation was treated with tenderness." The tribal marks and decorative cuts are matters arising because the child might not like it when it grows up in a modern world as has been stated. Some may not survive the pain or loss of blood. Also is the danger of contamination like HIV/AIDS. The Kalabari ceremony of "Iria," involves "cicatization" (Nigerian Body adornment, 1990). Naturally, a child may or may not know when it undergoes an abuse.

In most cultures the child is seen as the child of everybody and every child becomes an errand child to the adult. In this form many children has been led astray, abducted or corrupted by the adult. The adults established that when a child goes on an errand it wins a gift. Thus many adults, even well educated individuals, carry this notion as a cultural trait and see every child as an errand boy or girl. This is normal to many but it becomes an abuse when the child is forced, manipulated, intimidated or exploited to do so. These examples infringes on the

conventions on the Child's Right by Unicef. These cultural factors are often ignored at the grass root. The irony of life is that while some are aborting or throwing away their children others are ardently looking for it.

OTHER FORMS OF SOCIAL ABUSE OF THE CHILDS RIGHT

Abortion: except on the incident of rape abortion should be discouraged

Throwing away newly born baby: This is often a matter of most young people. Babies have been found in estranged corners, often abandoned by their parent.

PARENTAL ABUSE

Most parents abuse their children in a most horrible way. A man who consistently raped the daughter said that he has the right to do whatever he pleases to his child because he owns it. This attitude cannot protect the right of the child from parental abuse. Perhaps he was doing it for ritual reasons.

Child Pawning: this is still practiced indirectly. Some parents give out their children for financial gain or as compensation or payment of debt and this condition promotes slavery.

DECEPTIVE ABUSE

Some young female teenagers were taken to the mountain in some remote village zone called "Zion" in order to pray but they turned to become the prey of their care takers who raped them under treats for many days. Parents are at a loss because they are easily deceived by their greed, creed or false faith; because they need the miracle inspired by undue competition. Thus they give in to whatever their attendants wants to do with their children. From this examples, it is important to amend the laws guiding parental care so that the parents will know their boundaries in the relationship with their children.

Emotional Abuse: The things some parents teach their children are a form of abuse.

Child Marriage: child marriage is child abuse and it is still practiced especially to the girl child indirectly, in today's world. For examples it can be instituted by way of pawning, lending or rendering help; or as favour, reward or in appreciation or as gift in a successful relationship or other reasons of compensation. Generally it is abuse because the child may not welcome it when it becomes an adult having the knowledge of what transpired when it was a child. As a top twitter comment would have it, "Poverty of civilization due to terribly poor cultural and religious beliefs is responsible for child marriage...." (Top twitter comment, 14-5-2020).

ABUSE RESULTING FROM CONFLICTS

These conflicts come in various ways but a few are mentioned as examples. There is the war, dispute between individuals, husband and wife and other conflict situations in relationships. Often the children suffer in these conflicts for no cause of theirs.

For example, there is an antagonism over land dispute in a compound of brothers and sisters, somewhere in Igbo land; the man claiming inheritance by right of superiority over the dead brother's house considers his other brothers and sisters as tenants with an ultimatum on the expiration of the durations of their tenancy or occupation of the property. The inheritor went ahead to treat the fruit trees, including oranges and mangoes in that compound with carbide dust and barricaded the areas with yellow palm frond so that the children will not have access to them. Although he is an usher in his spiritual congregation he had declared himself the chief priest of his family relatives. When asked about his commitment to his other faith he replied that one should give Caesar his and God, God's. The children in question in this matter are between the ages of 5 and 10. It is an attempt to bare the children from eating the fruit. One guesses that this is not right as it will be easy to harm the children in that rural environment or scare them with some negative native appearances.

TRIBAL DISCRIMINATION

Tribal discrimination against other people's children are often seen within caretaker groups like the school administrators and teachers. Some of the teachers practice this abuse against children in order to dominate those that are not in their incline. Some go to the extent of beating or punishing children by falsely accusing them of one fault or bad behaviour. Marks are often awarded according to favorites which could be tribal or ethnic, or mere hatred. Hatred arising from jealousy, ethnic origin or natural dislike could cause the abuse. Whatever it is, the Unicef convention on the child's right could vindicate the child against such adult practices.

WAR

Children are often recruited to carry out dangerous maneuvers or treated as subordinates or inferior officers with dangerous and heavy errands or punished severely for disobedience. As refugees they are recruited into functions that may be above their capacities or raped as slaves.

HOUSE HELPS

"Oma nke ya amaghi nke onyeozo" is an Igbo saying meaning, "preference for one's child against others children" when it comes to the treatment of house helps

occasionally called "maid." Such cases of abuse of house helps in the news are just a drop of water in the ocean. Seemingly in all the families where one is considered a house help, especially the girl child, her rights are not the same with the rights of other children in that family. He or she may not have right to education, to be seen by visitors, to good cloths, to play and many other provisions of fellow children.

The "baby-seat" is no more a fashion in the modern world but the "nanny." In most cultures, folktales are sung about the child baby-seat and most of these stories are tales of woe. The young girl or boy leaves home at a very tender age like six years to baby seat. From what (Uzozie 1990) wrote they form the bases from the Child's growth. This age is too tender for such a job which they call training. There the little girl faces a lot of challenges. This is not good for her upbringing. Most of the time such children do not attend school or when they do they may have

lost precious time although no time is late for schooling but they may have lost a good beginning.

FLOGGING CHILDREN IN THE SCHOOL

A five year old was flogged and beaten because she could not buy exercise books and pay for some text books and school fees. But flogging children in the school has been condemned as a disciplinary measure by policy. A child cannot take care of itself and should not be punished or flogged because of not paying school fees. The punishment is being directed to the parents but the child should not receive such pains because of what it cannot help. One feels that it is abuse and a breach of agreement and policy by the state. This measure is carried out without caution by the school authorities or the entire society and the management, both in private and public schools.

THE LAW

Often these abuses are not taken seriously by the law because those interpreting it sees it against their tradition and so will ignore the abuse. It is often treated with the wave of the hand, "he is just a child. It does not know anything," meaning that the child does not bear grudges or malice for long and also cannot protect itself against adult abuse except the protection from its guardian; easily deceived, influenced, exploited, explored, loving and forgiving; does not need much to be appeased. Food can always be used; entertainment or things that excites which is often physical material. The psychological foundations of the child have not yet developed fully and so can be influenced. It does not mean the child is no more intelligent but move from stage to stage in experience and knowledge of its environment as Piaget's theory suggests and as Blooms taxonomy tend to express; the affective,

cognitive and motor sensory organs are yet in the process of development.

The point is that many of these abuses is not regarded as such, even if defined by law, the culture may prohibit exquisite implementation by those manning it which includes the agents of the law. The persons or bodies interpreting or dispensing the law is often of the same mindset or interest. The law will be interpreted to suit their aim or incline, anyhow. This is why it is necessary for outside intervention in most cases. It was ideal when US announced sanctioning of indiscreet politicians in other countries other than theirs to show concern as a member of the UN. Let there be representatives of the charter from different countries intervening in the legal operation of the countries as observers, witnesses or watch persons. They will seat in court with the indigenes employed and paid by the Charter. Let there be exchange of judges inter alia. Corruption is abuse of the child's right – it affects the child's positive development or adulthood.

IMPLICATIONS

- Psychological trauma: This could last for a life time making the child psychologically imbalanced in adulthood.
- Negative personality
- Transferred to the next generation
- Influence learning skills
- Detrimental to the parents and the society
- The less privileged is affected especially the environment
- It encourages the growth of miscreants

CONCLUSION

Conventions on the Child's Right should be followed strictly by every society if in reality the Child's Right should be protected especially in the developing or third world countries. Positive education is the key to a liberated mind.

RECOMMENDATIONS

Laws should be made or amended to protect the Rights of the Child against some religious, social or cultural

practices that intimidates, endangers or exploits the right of the child for positive development and existence even when the child is less privileged or from a motherless home or orphanage.

Right to free education especially at the basic Education level

OTHER PROVISIONS

Mothers (women) Rights as Child's right. The mother is the closest care taker of the child and should be considered with Child's Right. For example, when a nursing mother is abused, the child is abused. For example when a husband is maltreating the wife, the child is always affected. Therefore more provisions should be made to protect both and the already existing laws implemented adequately and effectively.

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