

**SOCIETAL PERCEPTION OF CHILD RIGHTS:
A CASE STUDY OF MINNA TOWN**

BY

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**BEING A RESEARCH PROJECT SUBMITTED TO THE POST
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CERTIFICATION

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ABBREVIATIONS

ACC	-	African Children's Charter
ACRWC	-	African Charter on the Rights and Welfare of the Child
CAT	-	Convention Against Torture and other Cruel, Inhuman and Degrading Treatment or Punishment.
Ch	-	Chancery
CRA	-	Child Rights Act
CRC	-	Convention of the Right of the Child
CYPA	-	Children and Young Persons act
CYPL	-	Children and Young Persons Law
ICESCR	-	International Convention on Economic, Social and Cultural Rights.
NGO's	-	Non-Government Organizations
UN	-	United Nations
UNCRC	-	United Nations Convention on the Rights of the Child
UNICEF	-	United Nations International Children's Emergency Funds
U.S	-	United States
U.S.A	-	United States of America
W. H. O	-	World Health Organization.

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ABSTRACT

This study assessed the societal perception of child rights in Minna town. Legislations on Child rights were looked into including the Child Rights Act (CRA) of 2003.

The study sought to identify reasons why the CRA was not receiving the desired support within the state, and assessed the extent to which Children were enjoying these rights.

This study was carried out by administering questionnaires to the two target groups (Parents and Children). In all the study surveyed two hundred (200) people – one hundred and ten (110) parents and ninety (90) Children.

The findings of the study revealed a high awareness of the rights of children especially in the area of health and education, however the child's right to freedom from discrimination is still an area that needs to be dealt with.

The study revealed three (3) major reasons for the opposition of the domestication of the CRA, these are:

1. The Act being too westernized.
2. The fear of children disrespecting parents; and
3. The Act being at variance with cultural and religious beliefs (especially Islam).

The study concluded that despite the opposition of a few people, majority were in support of a law being put in place to protect the rights of children.

Among others the study recommended the need to engage all efforts and resources necessary for the effective adoption and implementation of the rights and principles enshrined in the Child Rights Act in Niger State.

CHAPTER ONE

1.0 INTRODUCTION

Children are a sacred trust, a holy heritage¹. The religious leaders of old declare that a child has three parents - God, his father and his mother. Parents were to be accountable to God for their stewardship of parenthood. Parents did their best to look after and protect their children. The popular assumption in time past was that most adults and parents in particular had the best interest of children at heart. There was no reason therefore to think in terms of children rights². However with the reform movement of the nineteenth century, concern for the protection of the dignity, equality and basic human rights of children came to the forefront of public consciousness³.

Today, children's rights are being advocated globally. There are a number of international treaties⁴ which not only covers the protection of children, but also embraces aspects of "self determination" to the extent that children are granted a degree of autonomy in the enjoyment of their rights.⁵

Nigeria made a breakthrough in 2003, when the Child Rights Act was enacted into law by the National Assembly.

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1. Psalm 127:3
 2. Ayua, I.A and Okagbue, I.E, (eds) *The Rights of a Child in Nigeria*, Nigerian Institute of Advanced Legal Studies Nigeria, 1996 P3
 3. Ibid
 4. United Nations Convention on the Rights of the Child, African Charter of the Rights and welfare of the Child, Convention against torture and other Cruel inhuman or degrading treatment or punishment (CAT) .
 5. Ayua, I A and Okagbue, I.E (eds) *Loc Cit*

However, since Nigeria operates a Federal system of government where the states are autonomous and equal, with each state operating its own legislative system many states are yet to enact state legislations on child rights. In these states the Act has not been given its due recognition which has made its enforcement far from being functional.

Children are a vulnerable group, they must be protected. Let us accord them their “rights”.

1.1 HISTORICAL BACKGROUND OF CHILD RIGHTS.

The roots of the United Nations Convention on the rights of the child can be traced back to 1923 when the founder of Save the Children – Eglantyne Jebb summarized the rights of children in five (5) parts. Her Declaration of the Rights of the Child was adopted by the League of Nations in 1924 and the five points subsequently became known as the Declaration of Geneva.⁶

Following the aftermath of World War II, the United Nations concentrated on producing the Universal declaration of Human Rights which was adopted in 1948. This Declaration though including the Rights of Children was felt by many to be insufficient and the needs of children justified an additional separate document.

In November, 1959, the United Nations General Assembly adopted the 2nd Declaration of the Rights of the child.

This consisted of ten (10) Principles and incorporated the guiding principles of working in the best interest of the child. The 1959 declaration however, was only a statement of general principles and intent and was not legally binding. In 1978, during the preparation for the international year of the child, Poland proposed that the event be marked by a treaty giving Children Rights the force of law. In 1979, the United Nations Commission on Human Rights on request by the General Assembly of the United Nations set up a working group to draft a Convention.⁷

Ten years in the making the United Nations Convention of the Rights of the Child (UNCRC) was adopted by the UN General Assembly on 20th November, 1989, exactly thirty years after the 1959 Declaration.

The Convention was signed by sixty one (61) countries on 26th January, 1990. On 2nd September, 1990 after the ratification of twenty countries had been obtained, the Convention entered into force as International Law. The Convention is the most universally accepted Human Rights Instrument in History, only two countries – Somalia and United State of America have not ratified it. In the same year (1990) during the Heads of State summit of Organization of Africa Unity (OAU) now African Union (AU) in Addis Ababa, a Charter on the Rights and Welfare of the Child was adopted. This Charter looks at the Rights of the Child from the African perspective.

In Nigeria, in 1943, the British Colonial government passed the Children and Young Persons Act which was a Law to protect children, but related primarily to juvenile justice. This Law was later revised and incorporated into Nigeria's Federal Law in 1958.

The legal provision of this Law fell short of the rights of the Convention on Child Rights and African Charters on the Rights and Welfare of the Child (ACRWC), thus Nigeria signed the UNCRC and ACRWC in 1991 and 2001 respectively.

In 1993, the first Bill of the Child Right Act was opposed by many, but finally adopted into Law in 2003 by the National Assembly.

1.2 STATEMENT OF THE RESEARCH PROBLEM

After the enactment of the Child Rights Act in 2003, the first three states (Lagos, Ogun and Edo) to adopt the Law did so only in 2006, three years after its enactment by the National Assembly.

The Nigerian society has an obligation to satisfy the fundamental needs of her children and also to provide assistance for the development of their personalities, talents and abilities. However despite global efforts to promote and protect the rights of the Child through international conferences, summits etc, the rights of children in Nigeria are still far from being secured.

Daily, child rights are being violated; children are going through serious hardship and deprivation of their fundamental needs. The implication being that not only the child but the community and the nation at large suffers a setback in development and growth, since the development and growth of any nation depends much on the child. Where the rights of the child are enforced and protected the personalities, abilities and talents of the children will be developed to the fullest and will secure not only their future, but also the future of the nation.

Five years after the enactment of the Child Rights legislation in Nigeria, Niger State is yet to adopt the Law into her local legislation. The Northern part of

Nigeria into which Niger State belongs has been in opposition of the Child Rights Act, seeing the light of the day in state legislations.⁸ Since it is imperative that the Act be enacted in the state, the societal perception towards this Law is vital in order to understand the bias of people towards it with the aim of removing the bias to enable the Law find its way into the state legislation.

1.3 AIMS AND OBJECTIVES

In view of the problems, the aim of this study is to assess the societal perception of the Rights of the Child within Minna Township with a view to:

1. Identify reasons why the Law is not getting the desired support within the State.
2. To assess the extent to which the children enjoy their rights.
3. To recommend measures to secure the support of the people on the implementation and enforcement of the Law in the state.

1.4 STATEMENT OF STUDY

Since Nigeria became a state party to the UN Convention on the Rights of the Child, the adoption of the Convention into Nigerian legislation became a hard nut to crack, this initiated write ups and debate from different quarters.

After the break through in 2003 with the adoption of the Act, studies on the enforcement of the Act have since taken the centre stage. Studies have been carried out to provide the necessary information for proper understanding and awareness of the child's rights; studies have also been carried out in the area of protection and implementation. Most of the studies conducted relate to Nigeria as a whole, little research has been conducted in Minna or Niger State. The study is therefore complementing what has been done on the field from a much narrower perspective.

1.5 METHODOLOGY

This study will be carried out by administering questionnaires. Reference will also be made to primary and secondary sources of law.

1.6 SCOPE OF STUDY

This study although limited to the township of Minna in Niger State will cover a vast area of the State as a whole since Minna is populated with people from all areas of Niger State. The questionnaires will be limited to only indigenes of Niger State.

The study will pay more attention to the rights of the Child to freedom of thought, conscience and religion, freedom from discrimination, health service and free, compulsory and universal primary education.

CHAPTER TWO

2.0 LITERATURE REVIEW

2.1 Global perception to Child Rights

Since the adoption of Child Rights by the United Nations General Assembly in November 1989¹ after more than sixty (60) years of advocacy,² the CRC has been ratified more quickly and by more Governments than any other human rights instrument. Its basic premise is that children are born with fundamental freedoms and the inherent rights of all human beings.

Many Governments have gone further than just ratifying the Convention to enacting legislations, creating mechanisms and putting into place a range of creative measures to ensure the protection and realization of the rights of persons under the age 18 years.

Despite further steps taken by some governments, the children's rights are still very faint or even invisible in many nations. This is made worse by the perception that children are "owned by their elders or indeed the nation itself and that they are adults in the making, waiting to be shaped by society into future resources".³ Parents and adults in general are seen to have absolute power over their children until they become of age. It was noted by Archard (1993)⁴, that it is only in becoming adults themselves that children qualify for any "freedoms and rights," until then they are considered immature. This perception of parents and adults could also contribute to the reason why a number of

1. [http://www. Childrensrights. Ie/convention.php](http://www.Childrensrights.Ie/convention.php)

2. *ibid* Eglantyne Jebb, founder of Save the Children summarized the rights of children in five points. Her declaration of the rights of the child was adopted by the League of Nations in 1924 and the five points subsequently became known as the Declaration of Geneva. In November 1959, the UN General Assembly adopted the second Declaration of the Rights of the Child. This consisted of ten principles of working in the best interest of the child. This Declaration was not legally binding and was only a statement of general principle and intent. Ten years in the making the UN Convention on the Rights of the Child was adopted by the UN General Assembly in 1989.

3. . Archard, D (1993) Children, Rights and Childhood.

4. *ibid*

Governments have not moved beyond appending their signatures to the Instrument. Other reasons have been attributed to the severe lack of financial resources allocated to the protection and promotion of child rights, while others are due to the perception of what the realization of these rights would have on the family and on the nation as a whole.

In some quarters, the Convention is seen as an intrusion to the authority of parents over their children especially in the areas of discipline and privacy in family decision making.

The United Nations expectation however is that all Governments that sign the Children's Convention are obliged to apply its mandate which overrides the country's own domestic law⁵. This again was seen in some quarters as a direct usurpation of national sovereignty.⁶

In 2004⁷ there was resistance from particular conservatives to the UNCRC, by this the United State of America declined to become a signatory to the Convention, their argument was that if the UNCRC is ratified by the US Senate, the Convention would undermine families by granting to children a list of "radical rights" which would be enforced against parents. The rights would include the right to privacy, the right to freedom of thought and association and the right to freedom of expression. They further argued, in allowing these rights to take their roots in the Laws of U.S the authority of parents to exercise important responsibilities towards their children would be subverted, and their responsibilities would exist only in so far as parents are willing to further the independent choices of the child.⁸

5. Missouri v Holland (252 U.S. 416)

6. [www.hslda.org/do.cs/nche/000000/00000021](http://www.hslda.org/do.cs/nche/000000/00000021.asp). asp- Oppose the UN Convention on the Rights of the Child

7. hslda, Loc Cit

8. Ibid

Their perception is that the Convention if ratified would give the children the right to disrespect the parental authority and place severe limitations on the Parent's right to train their children especially under Articles 13, 16 & 37 of the UNCRC.⁹

Although Britain signed the UNCRC in 1990 and ratified it in 1991, studies show that she is still not implementing many aspects of the treaty.¹⁰ Some Britons just like those in the U.S also see the Convention as undermining the parental authority especially as it relates to discipline and freedom of expression. They believe parents do not need to seek the opinion of the child before decisions are made on their behalf.

In most part of Eastern Asia¹¹, despite Article 19¹² of the CRC, punishing a child using physical means is legal although only permitted by parents.¹³

In some quarters of the states in India it is perceived that parents should have due control over their children despite a judgment of a Delhi High Court which upheld the dignity, equality before the law, life and personal liberty of the child. In Zimbabwe discipline of children by whipping is considered good for the socialization of children as it is believed the children will learn to appreciate authority.

Proponents of African culture perceive child labour as the norm and not exploitative. Child labour and child exploitation are seemingly alien to the African context.¹⁴

9. Ibid

10. Britain is not complying strictly to Articles 13, 14; 28 and 37 of the CRC.

11. Phillipines, Japan, Korea etc

12. Right to Dignity.

13. Corporal punishment is prohibited in schools.

14. I.Chinyangara etal chapter 3 p7 (2005) Indicators for Children's Rights Zimbabwe Country Case Study,

Members of Parliament in Zimbabwe consider child labour as a means of socializing children into acquiring an appropriate work ethic and appreciating the value and ‘dignity of labour’. Child labour is also considered as the child’s contribution to the household economy.¹⁵

It is also believed that the National commission for Protection of Childs Rights is going too far with its new guidelines which makes it a crime to scold students or call them “Stupid or mindless” in class.¹⁶

Coming back home the Supreme Council for Shariah in Nigeria (2007)¹⁷ did bare its own view opposing the CRA being domesticated because of the perception that the jurisdiction of Shariah Courts on all matters affecting children would be ousted since being domesticated from the CRC the mandates of the CRC has to be obliged which overrides the countries domestic Laws. Equally the minimum age limit of 18 years for marriage has also been looked at as being against the Islamic religion.

Other quarters in Northern Nigeria¹⁸ rejected the Child Rights Act on the ground that the Law did not reflect the socio-religious and cultural values of the people.

Studies¹⁹ have shown that the practice of giving out children in marriage at very early stages of their lives without formal education or a trade is predominant among the grass root people. These set of people see the CRA as overriding their rights as parents to give out their children in marriage when they so desire.

15. Ibid

16. Global Initiative to end all corporal punishment of children.

17. Friedman, Howard – Perm link, All Africa.com.

18. Bauchi State

19. Ajayi, E, Loc Cit

The CRA has again just like the UNCRC been perceived among some groups and states in Nigeria to usurp the parents right to train their children, although other studies have revealed that a lot of child training in Nigeria and Africa generally is actually child abuse in the form of maltreatment and neglect.

2.2 INTERNATIONAL AND REGIONAL INSTRUMENTS ON CHILD RIGHTS

There are a number of international and regional instruments on child rights, this study will only touch a few of them to give us more insight on what child rights is all about.

2.3 INTERNATIONAL INSTRUMENTS

2.3.1 UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (UNCRC)

The mother of all international Instruments, the UNCRC is an International Agreement on the rights of the child that was adopted by the General Assembly International Law on 2nd September, 1990. Having been ratified by all but two countries in the world (U.S.A and Somalia) the Convention is the most universally ratified human rights treaty in history.

The UNCRC addresses a wide range of issues affecting the lives of children and offers a comprehensive framework for children's rights. The UNCRC protects and empowers children and reinforces the primary role of families in the lives of children.

Built on varied legal systems and cultural traditions the UNCRC is a universally agreed set of non-negotiable standards and obligations.²⁰ The Convention gives children and young people over forty substantive rights grouped under four headings – Survival rights, Developmental rights, Protection rights and Participation rights.²¹ The survival right recognizes a Child's right to life and all basic needs which a child will need to exist for example, shelter, food and good health care. Development rights stipulate what a child needs to reach full potentials education, leisure, access to information etc. Protection rights require that a child should be protected from all forms of abuse, neglect and exploitation e.g. protection for children in employment and safeguard for children in the criminal justice system. Participation rights recognize that children should be able to play active role in decisions affecting their own lives, communities and nation to prepare them for responsible adulthood.

Four of the fifty- four articles of the Convention have been emphasized due to their nature of being basic to the implementation of all other rights. The rights have been named the “general principles” of the Convention. Article 2- ensures that all rights guaranteed by the Convention must be available to all children without discrimination of any kind. Article 3 - the best interest of the child must be a primary consideration in all actions concerning children. Article 6 - gives every child the right to life, survival and development. Article 12 - recognizes that the child's view must be considered and taken into account in all matters affecting him or her. Every right spelt out in the Convention is inherent to the human dignity and harmonious development of every child. The Convention protects the children's rights by setting standards in health care, education, legal, civil and social services.

20. Children's Right Alliance, Op Cit p5

21. Convention on the Rights of the Child.

2.3.2 INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR)

Child Rights are also human rights. The ICESCR is a multilateral Treaty adopted by the UN General Assembly in December, 1966; it came into force on 3rd January, 1976. The treaty commits its Parties to work towards the granting of economic, social and cultural rights to individuals including children. This includes labour rights, rights to health, education and adequate standards of living. The ICESCR is part of the International Bill of Human Rights and is monitored by the UN Committee. The Treaty with its principle of “progressive realization” adopts a more liberal approach to achieve its aims than other treaties. The principle acknowledges that some of the rights (for example the right to health) may be difficult to achieve in a short period of time, and that states may be subject to resource constraints, but requires them to act as best they can within their means.²² The core provisions of the treaty include labour rights,²³ right to social security²⁴, right to family life²⁵, right to adequate standard of living,²⁶ right to health²⁷, right to education²⁸ and the right to participate in cultural life.²⁹ The Treaty impliedly prohibits forced or child labour,³⁰ since the right to work is defined as the opportunity of everyone to gain their living by freely chosen or accepted work. Under Article 10 of the Covenant, State parties must take “special measures” to protect children from economic or social exploitation, including setting a minimum age of employment and bring children from dangerous and harmful occupations³¹. Article 11 recognizes the right of everyone to adequate standard of living; this includes but is not limited to the right to adequate food, clothing, housing and the continuous improvement of living conditions³². The right to adequate food also implies the right to water.³³ Article 14 recognizes the right of children to free compulsory primary education.

30. 22. ICESCR: Art. 2 23. ICESCR: Art. 6 24. ICESCR: Art. 9 25. ICESCR: Art. 10 26. ICESCR: Art. 1 27. ICESCR: Art. 12, 28. ICESCR: Art. 13, 29. ICESCR: Art. 15 ICESCR: Art. 6 31. ICESCR: Art. 10. 32. ICESCR : Art. 11.1 33. CESCAR General comment 12 the right to adequate food

2.4 REGIONAL INSTRUMENTS

2.4.1 AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD (THE AFRICAN CHILDREN'S CHARTER - ACC)

The ACC was adopted by the Organization of African Unity (now African Union) in July 1990. The ACC is the first regional treaty on the human rights of the child. The Charter has its root in other human rights treaties such as the African Charter on Human and People's Rights and the United Nations Convention on the Rights of the Child.

The African Charter emerged out of the social and cultural values of Africa including those relating to family, community and society. It takes into consideration the virtues of their cultural heritage, historical background and values of the African civilization which should inspire and characterize their reflections on the concept of the right and welfare of the child.³⁴

The Charter recognizes the child's unique and privileged place in African society and that African children need protection and special care. It also acknowledges that children are entitled to the enjoyment of freedom of expression, association, peaceful assembly, thought, religion and conscience. It aims to protect the private life of the child and safeguard the child against all forms of economic exploitation and against work that is hazardous, interferes with the child's education or compromises his or her health, physical, social, mental, spiritual or moral development.³⁵

The Charter also aims at preventing the sale and trafficking of children, as well as kidnapping and begging of children.

34. Preamble of the African Children's Charter.

35. African Charter on the Rights and Welfare of the Child – encyclopedia. Article about Africa p1.

The Charter calls for the protection of children against abuse and bad treatment, negative social and cultural practices, all forms of exploitation or sexual abuse including commercial sex exploitation and illegal drug use. In some aspects the ACC has built upon the UNCRC in order to strengthen the protection of the African child. It mandates state parties to take all necessary measures to ensure that no child shall take a direct part in hostilities and refrain in particular from recruiting any child.³⁶

State parties are obliged to discourage any custom, tradition, cultural or religious practices that are inconsistent with the provisions of the treaty³⁷ and to take measures to eliminate harmful social and cultural practices, in particular those customs and practices which are prejudicial to the health or life of the child and those which are discriminatory to the child on the ground of sex or other status (Art. 121.1) among others.

The Charter also gives rise for the views of the child to be heard in judicial or administrative proceedings either directly or through an impartial representative. Such views should also be taken into consideration by the relevant authority in accordance with the provisions of the appropriate law.³⁸

The Charter obliges states to establish 18 years as the minimum age for marriage and to make registration of all marriages compulsory, with the aim of combating early marriages and forced child marriages.

36. Article 22.2

37. Article 1.3

38. Article 4.2

2.4.2 AFRICAN CHARTER ON HUMAN AND PEOPLES RIGHTS (The Banjul Charter).

The African Charter on Human and Peoples Rights came into effect on 21st October, 1986. The Charter was drafted similar to the Human Rights Instrument that exists in Europe and America. It has been ratified by more than 40 African states, thus becoming the most widely accepted regional Convention.

This Convention goes a step further than the ICESCR in that it covers not only economic, social and cultural rights but also civil and political rights.

The civil and political rights recognized by the Charter are basically regarded universally; these rights include the right to freedom from discrimination³⁹, right to a fair trial⁴⁰, freedom of religion⁴¹, freedom of association⁴² and freedom of movement⁴³ among others.

The Charter although covers civil and political rights emphasis are placed greatly on the economic social and cultural rights; these include the right to work⁴⁴, right to health⁴⁵, and the right to education⁴⁶.

Through a decision⁴⁷ by the African Commission on Human and Peoples Rights, the Charter is also understood to include a right to housing and a right to food.⁴⁸

39.Art.2 and 18(3) 40.Art.7,25 41.Art.8 42.Art.10 43.Art.12 44.Art.15 45.Art.16 46..Art.17 47.SERAC V Nigeria (2001) 48. .En.Wikipedia.org/wikiAfricanCharter on Human and Peoples % 27 rights categories: Africa subs /African Union/Human rights Instruments

2.5 UNITED NATIONS INTERNATIONAL CHILDREN EMMERGENCY FUNDS (UNICEF).

Though neither an International or Regional treaty, one cannot talk about children and their rights without mentioning UNICEF.

UNICEF is an International Humanitarian non- government organization which is on ground in over 150 countries and territories⁴⁹ to help children survive and thrive from early childhood to adolescence. The organization supports the economic and social rights of children in terms of child health and nutrition, good water and sanitation, quality basic education for all boys and girl and the protection of children from violence, exploitation and Acquired Immune Deficiency Syndrome (AIDS).

The overall goal of UNICEF is to promote and protect the rights of children and women through enhancing the capacity and commitment of governments and civil society. This includes reducing geographical, sectoral and gender disparities in selected programme areas, reducing infant, under five and maternal mortality and contributing to malaria control and micronutrient deficiency control⁵⁰ in addition to what has already been mentioned above.

2.6 CREATION OF CHILD RIGHTS IN NIGERIA

In 1943 the British colonial government passed the Children and Young Persons Act (CYPA), this was put in place to protect the Nigerian child. In 1958, the Act was revised and incorporated into Nigerian Federal Laws.⁵¹

49. UNICEF – Press Centre – On the day of the African Child, 2008.

50. UNICEF – at a glance: Nigeria- the big picture.

51. Ayua, I A and Okagbue, I E, Opp Cit.

The CYPA apart from relating primarily to juvenile justice, its legal provisions fell short of the rights afforded by the African Charter on the Rights and Welfare of the Child (ACRWC), the UNCRC and the United Nations Standard Minimum Rules for the Administration of Juvenile Justice.

In February 2001 and March 1991, the ACRWC and UNCRC were ratified respectively in Nigeria. The implication of ratifying a legal instrument such as the UNCRC is that the country in this case Nigeria, becomes a state party to it and impliedly makes a formal commitment to safeguard the Rights of the child set out in the Instrument. The state party therefore agrees to undertake all appropriate legislative, administrative and other measures to implement the rights recognized in the instrument. It also implies that the social services, legal, health and educational systems need to be assessed and funded.

The government of the state party is obliged to take all necessary steps to ensure that the minimum standard set by the Instruments (Charters and Conventions) in the area is met. In order to meet the minimum standard, there might be a need to change existing laws or create new ones altogether, despite the fact that so much is expected from a ratifying country where the Instrument has not been incorporated into the domestic laws, they have no legal force & therefore not binding on the state party.

In 1988, the Nigerian Chapter of the African Network for the Prevention and Protection against Child Abuse and Neglect organized three conferences with the Ministries of Justice, Health and Social Welfare in conjunction with UNICEF to produce new draft laws on protecting children in Nigeria. This gave rise to the first Bill of the Child Rights Act (CRA) in 1993; however it couldn't be passed into law by the then Military government because of opposition from religious groups and traditionalist. Subsequently a special committee was set up in order to harmonize the children's Bill with Nigeria's religious and customary

beliefs.⁵² The Bill providing for the rights and responsibilities of children in Nigeria as well as for a renewed system of juvenile justice was again rejected by Parliament in October, 2002 on grounds of its contents being contrary to Islamic values, traditions and culture.⁵³

The main objection being a provision setting 18 years as the minimum age for marriage this was said to be incompatible with religious and cultural traditions in various parts of the country where girls are given in marriage at a young age.⁵⁴

The decision to reject the Bill again was criticized by many National and International NGO's as well as other sectors of the civil society in Nigeria. The legislators were forced to reconsider its decision to oppose the child Rights Bill.

The Bill was finally passed into law by the National Assembly thus domesticating the UNCRC in July, 2003.

It was assented to by the then President of the Federal Republic of Nigeria, Chief Olusegun Obasanjo in September 2003, and promulgated as the Child Rights Act 2003.

52. Report on the implementation of the convention on the rights of the child by Nigeria- Jan 2005. 50.

53. Ibid

54. WWW. Unicri. /f / notice-board. htm

2.7 DEFINITION OF TERMS

2.7.1 CHILD

Culturally, rather than defining a child by chronological age a person is still a child as long as he or she remains under parental authority⁵⁵ Unfortunately this definition would pose a lot of problems in dealing with issue of law; it is therefore not surprising that the customs of the various countries now define a child by a chronological age. These definitions however vary not only from custom to custom but also from country to country.

In New Zealand and Zimbabwe a child is defined as any person under the age of 16 years.⁵⁶

In Nigeria under the Child and Young Persons Law⁵⁷ a child is defined as a person less than 14 years. A person between the ages of 14 -17 is referred to as a young person.

Many countries⁵⁸ are however amending their laws to reflect 18 years as the age of majority whereby any person under the age of 18 years is referred to as a child. This amendment could be to give recognition to the principles of the United Nations which defines a child as a person less than 18 years.

A child under the Child Rights Act is also defined as a person below the age of 18 years.⁵⁹

55. Archard, D op. cit.

56., Miriam Saphira & Pam Oliver (2003). A Review of Literature on Child Prostitution

57. Section 2

58 .Zimbabwe, New Zealand

59. Section 277.

In *Re Carlton* (1945)⁶⁰ Cohen J, said that the meaning of the word “child” must in every case depend on the context in which it appears. In line with the holding in the case of *Re Carlton*⁶¹ the UNCRC defines a child as a person below the age of 18 years, unless under the law applicable to the child the age of majority is attained earlier.⁶²

2.7.2 RIGHT

The CRA does not define what a right is, however the Advanced Learners Dictionary⁶³ defines a right as a legal claim, or legal authority or a thing one is entitled to have by law. The Osborn’s concise law Dictionary⁶⁴ defines a right as an interest recognized and protected by the law.

2.7.3 CHILDREN’S RIGHTS

These are claims that all children have to survival, development protection and participation,⁶⁵ it is an obligation owed to children by both the state and adults generally.

2.8 BASIC PRINCIPLES OF CHILD RIGHTS UNDER THE CHILD RIGHTS ACT 2003

Rights of children can be classified into social, economic and legal rights. Economic and social right which include the right to work, health, education and recreation are primarily the duty of the government to actualize. It is unfortunate that the provisions of the constitution unless, specific reference is given to children, are taken as provisions pertaining to adults alone.

60. Ch. 372

62. CRC. Art.1

64.. 7th ed. Edited by Roger Bird

61. Supra

63. 5th edition

65. Child Right Alliance, Loc Cit

S. 14 (2) (b) and 16 (1) (a) of the 1999 Constitution⁶⁶ clearly spells out that it is the primary responsibility of government to provide security and welfare to the people and to control the national economy in such a manner as to secure the maximum welfare, freedom and happiness of every citizen on the basis of social justice and equality of status and opportunity”. The words ‘every citizen’ applies to children also.

Legal rights which include the protection rights of the child have been provided for in our statutes. The Penal Code,⁶⁷ Labour Act,⁶⁸ and the Children and Young Persons Act.⁶⁹

The Penal Code has provisions that protect the rights of young persons – section 237 deals with the abandonment of a child below 12 years. Section 238 – cruelty to children, section 271-280 protects a child against kidnapping, abduction and forced labour, similar provisions are also provided under the Criminal Code⁷⁰

The Labour Act has ample provisions⁷¹ legislating against child labour; this could be due to the fact that child labour is one of the most prevalent forms of child abuse in our society.

The CYPA as has been discussed earlier provides mostly for the protection of child offenders.

66. Cap C23 Federal Republic of Nigeria 2004. 67. Cap 94 Laws of Niger State 1989 . 68. Cap L1 Laws of the Federation of Nigeria 2004, 69. Cap 20 the Laws of Niger state of Nigeria 1989
70. Cap 42 Laws of the Federation of Nigeria. 71. Sections 59 -62.

With the mandate of the committee on child rights, to state parties to provide a legislation which incorporates all the rights and responsibilities of children into one law, the CRA 2003 was drafted in such a way so as to consolidate all the Laws relating to children into a single Legislation. However, the provisions of chapter IV, of the 1999 Constitution and other constitutional provisions relating to fundamental human rights that are not expressly stated in the CRA are to apply to the child as if they are expressly stated.

Section 3(1) of the CRA states -

The provisions in chapter IV of the Constitution of the Federal Republic of Nigeria, 1999, or any successive Constitutional provisions relating to fundamental rights, Shall apply as if those provisions are expressly stated in the Act.

All the rights defined under the CRA are seen as necessary for the full and harmonious development of the child's personality and as inherent to the dignity of the child. The different rights are not ranked in order of importance, rather they interact with one another in an interpreted and dynamic way. However the general principles of the act are provided for in section 1 of the Act.

It states -

“In every action concerning a child, whether undertaken by an individual, public or private body, institutions of Service, court of law, or administrative or legislative Authority, the best interest of the child shall be the Primary consideration.”

This means that all hands must be on deck to ensure that in every action concerning a child, the best interest of the child is sought.

The rights of a child as contained in the CRA are as follows:

Right to survival and development⁷²

Right to name⁷³

Right of freedom of association and peaceful assembly⁷⁴

Right to freedom of thought, conscience and religion⁷⁵

Right to private and family life⁷⁶

Right to freedom of movement⁷⁷

Right to freedom from discrimination⁷⁸

Right to dignity of the child⁷⁹

Right to leisure, recreation and cultural activities⁸⁰

Right to health and health services⁸¹

Right to parental care, protection and maintenance⁸²

Right to free, compulsory and universal primary education⁸³

Right of a child in need of special protection measures⁸⁴

Rights under the Act can be classified in survival rights, development rights, participation rights and protection rights.

Under survival rights, children have the right to life, survival and development, health and health services, dignity of the child and freedom from discrimination.

The development rights contain the rights to leisure, recreation and cultural activities, freedom of thought, conscience and religion, free compulsory and universal primary education, parental care, protection and maintenance.

72. Section 4 73. Section 5 74. Section 6 75. Section 7 76. Section 8 77. Section 9
78. Section 10 79. Section 11 80. Section 12 81. Section 13 82. Section 14 83. Section 15
84. Section 16

Under participation rights are the right to freedom of association and peaceful assembly, freedom of expression, freedom of movement and right to personal liberty.

Lastly, the protection rights provides for the rights of children in need of special protection.

Children are entitled to a protection of their rights and freedom under the law due to their vulnerability.

There is also the need of their rights to be recognized and respected by both parents and government. The signing into law of the Act entails that the government must develop policies and programmes for its implementation, and protect by law the alienable right of children from harmful traditional, social and religious practices that affect their life and growth.

Children should be given the opportunity to form their ideas and opinions on issues of interest according to law and tradition⁸⁵.

A child should not suffer discrimination irrespective of ethnic origin, birth, sex, language, religion, political opinion, disability etc, and neither should a child be subjected to any kind of abuse (physical, mental, sexual or economical) including deprivation, neglect and malnutrition. Children also have the right to be protected from torture, inhuman degrading treatment or punishment, and also from slavery or servitude by any person, body or authority.

The Act recognizes the right of children to enjoy the highest attainable standard of physical, mental and spiritual health⁸⁶.

85. Nigeria and the Rights of the child (2001). The child development Department, the Federal Ministry of Women & Youth Development, Abuja

86. Section 13

“Health” is understood not just as a right to be healthy, but as a right to central ones health and body and be free from interferences such as torture⁸⁷. Health rights can only be protected when every child has access to the underlying determinants of health such as clean water, sanitation, food nutrition, and housing and through a comprehensive system of health care which is available to all children without discrimination, and economically accessible⁸⁸.

In the same vane education should be accessible for children at the senior secondary and higher level, while at the primary/junior secondary level it should be free and compulsory. Children with disabilities should not be an exception. Quality education will enable the children to participate effectively and responsibility in the society. It also promotes and develops the child’s personality, talents, mental and physical potentials to the maximum.

Above all every child is entitled to be loved, cared for, maintained and protected by their parents. A child should be surrounded by family members who should provide affection, a proper upbringing and provide the basic necessities of life (adequate food education, shelter etc) for the physical, moral and mental growth of the child. They also need to create an atmosphere conducive for children to freely associate and relate with others while at the same time monitor the company of friends their children keep to prevent negative influences.

No child should be separated from the family or parents except on the authority of a competent court that such separation is in the best interest of the child, or for the purposes of his education or welfare.

87. CESCR General comment 14: The right to the highest attainable standard of health. Paragraph 9 Un Economic and social Council (2000 – 08 – 11)

88. Ibid

Children who have been separated from their families or parents for one reason or the other deserve special care to reduce the trauma of their situation and help

them to adjust to normal and decent life. To aid the child to adjust to a normal and decent life, individuals, authorities and bodies saddled with this responsibility must ensure they provide the child with facilities necessary for education, training, preparation for employment rehabilitation and recreational opportunities in a manner conducive to achieving the fullest possible social interpretation individual development and cultural moral development⁸⁹.

2.9 CHALLENGES TO THE ENFORCEMENT OF THE CHILD RIGHTS ACT 2003

Despite the signing into law of the Act, its implementation and enforcement has been far from functional due to a number of challenges faced.

(a). Enabling environment

It is unfortunate that in Nigeria the enabling environment needed for enforcing laws is not available. Education is far from being free, poverty is the order of the day, housing schemes are inadequate, efficient social system is absent and policies for children are virtually non-existence especially for orphans and vulnerable children.

It has been said⁹⁰ that for education to be a meaningful right, it must be available, accessible, acceptable and adaptable.

It is the duty of the government being the prime duty bearer to respect, protect and fulfill this concept. However, it is an open secret that the funding of government in the education sector, and infrastructure are far from adequate. Parents and guardians still need to spend huge amounts of money to send their children and wards to school to attain even the minimum level of basic education in spite of the poverty level in the country.

89. Section 16 (2)

90. Katarina Tomasevski, UN Special rapporteur on the rights to education

This is even more challenging in the rural areas. Some children are even forced to stay at home against the wish of the parents and guardians to give room for

their siblings to go school. It therefore becomes a challenge or almost an impossibility to enforce such a right.

The same applies to the health sector, what the government spends on health and health related matters are a far cry from what is needed.

It cannot be denied that abject poverty, adverse economic environment, unemployment, massive retrenchments, under employment and the poor quality of life have made parents who would otherwise have been most caring and loving to neglect and even at times to abuse their children⁹¹.

Many parents and guardians cannot afford three square meals for their children and wards. Children go hungry not of the wish of the parents but due to inability to provide. Child labour is also attributed to poverty. Children have to go out and work in order to augment what the parents are able to provide to maintain the home.

(b) Traditional and cultural beliefs

The family and by extension the society have failed to come to terms with the fact that children have rights. It is a taboo for the Nigerian child to sue or seek redress against their parents; therefore even where children are aware that their rights have been infringed upon or violated, especially by their parents, it is an uphill task to have such rights enforced.

(c) Religious beliefs

Religious diversities especially between the Northern and Southern part of the country are a major challenge to the enforcement of the Act.

91. Nasir, J.M (Mrs) (1988)-Impediments to the realization of the Rights of the child in Nigeria

Some areas of controversy which has not allowed for effective enforcement are the areas of the definition of the child, marriageable age and adoption. The act

defines a child has been under 18years⁹² old. Islamic scholars have not come to an agreement on the age limit of a child however their point of agreement is puberty is the end of childhood which could be as early as 13years for the girl child.

Section 21, and 23 of the Act forbids child marriage and provide penalties for is contravention, the Sharia law however allows marriage of children who have reached puberty regardless of the age of the child.

A Judge or Magistrate who is by reason of his birth or conviction professes the Islamic faith will hardly see the justification to convict a person who has given out a child in marriage though below 18years but has passed puberty.

The sections of the Act pertaining to Adoption⁹³ of children also run contrary to the Quranic injunctions⁹⁴

(d). Inadequate functioning and training of the law Enforcement Agencies

The Act provides for the establishment of family courts for each of the States of the Federation and the Federal Capital Territory⁹⁵ for the purpose of hearing and determining matters relating to children. These Courts are virtually nonexistent in the states. The few in existence are not well equipped.

Generally the role of the courts and law enforcement agencies is to carry out their duty of law enforcement. The court also has a role while performing its duty to educate citizens in the voluntary and conscientious observance of laws. Unfortunately due to lack of training and poor funding the judicial arm of the government as well as the police force are yet to be fully conscientious of principles and content of the Act whereby making enforcement difficult.

92. Section 277

93. Section 141

94. Quran 33:4-5

95. Section 149

The state welfare services that cater for children are no longer functional as they used to be. The remand homes and borstal institutions are overcrowded with poor sanitation.

(e). Illiteracy

Majority of the populace are not conversant with the content of the Act. The legal framework for the protection of the child is not only unknown by the children or their parents, but also social welfare agencies and all other persons or bodies who are in a position to protect the rights of the children.

For the Act not to be a toothless bulldog the government needs to take all necessary steps to realize its dreams of developing Nigerian children and giving them a future.

CHAPTER THREE

3.0 METHODOLOGY

3.1 BACKGROUND TO THE STUDY AREA

Minna Township is situated in Niger State in the Northern part of Nigeria and covers a land area of about 8 kilometers from the center of the town. It is one hundred and seventeen (117) kilometer from Abuja, the Federal Capital of Nigeria.

Minna town is a historical trade route and has a tropical climate with wet and dry seasons.

Various nationality groups have inhabited the town and are identified by their language and culture. Among the nationality or ethnic groups are Nupe, Gbagyi (Gwari) and Hausa, other ethnic groups include Yoruba and Igbos. The rest which constitute minority groups are Fulanis, Kadaras, Kamukus and Igbiras.

Their tradition /practices can be categorized into Islam and Christianity. The Gbagyis however has their own traditional religion which is the deity worshipped called shekwo (god) which was associated with their ancestors.

By a statistics taken in 2008¹, the population of Minna was said to be two hundred and fourteen thousand and five hundred twenty seven (214,527). Children under seventeen (17) years of age accounted for about 47.6% of the population. Minna is politically demarcated into eleven (11) wards namely- Limawa 'A', Limawa 'B', Makera, Minna Central, Minna South, Nassarawa 'A' Nassarawa 'B', Nassarawa 'C', Sabon Gari, Tudun Wada North and Tudun Wada South. Majority of the adult population in the State are public servants employed in either the Local, State or Federal civil service.

1. Department of Research, Planning & Statistics, Niger State Ministry of Health

Minna has a very large number of nursery and primary schools and quite a number of junior and senior secondary schools, most of which belong to private individuals. Majority of the children in the township of Minna enrolled in one school or the other.

3.2 POPULATION OF THE STUDY

The population of the study consisted of adult who are married with children (referred to as parents) and children between the ages of 8-17 years selected from both the private and government primary and secondary schools, within the eleven wards in Minna Township.

3.3 SAMPLE AND SAMPLING TECHNIQUE

The sampling technique adopted is the stratified simple random sampling technique based on the population magnitude of the wards in Minna.

A total number of two hundred (200) respondents were used for the study. Out of this number, one hundred and ten were adults while the remaining ninety (90) were children between the ages of 8-17 years.

Table 3.1 shows the wards in Minna Township and their population, while table 3.1.2 shows the sample size.

TABLE 3.1 WARDS IN MINNA TOWNSHIP AND THEIR POPULATION

WARDS	POULATION	POPULATION OF INDIGENES	POPULATION OF ADULT INDIGENES 18 YEARS AND ABOVE	POPULATION OF INDIGENE CHILDREN	POPULATION OF INDIGENE CHILDREN 8-17 YEARS
LIMAWA 'A'	18947	10,486	3875	6611	2,205
LIMAWA 'B'	20094	12,003	42021	7802	3018
MAKERA	14600	9,542	3658	4320	1970
MINNA CENTRAL	14421	6437	2117	4320	996
MINNA SOUTH	27986	17246	5817	11429	4001
NASSARAWA 'A'	18464	7879	3978	3901	730
NASSARAWA 'B'	12458	8643	4003	3815	725
SABON GARI	25423	7669	1697	5972	1,726
TUDUNWADA NORTH	24480	10640	2796	7844	3039
TUDUNWADA SOUTH	23305	11856	4212	7644	3007
TOTAL	214,527	109,393	38,898	69,670	22,340

SOURCE: - Niger State Ministry of Health (Epidemiology Department) 2008

TABLE 3.1.2 Table Showing Sample Size of the Study

WARDS	NO. OF ADULT INDIGENE USED FOR THE STUDY		TOTAL NO. OF ADULT	NO. OF INDIGENE CHILDREN (8-17YRS) USED FOR THE STUDY		TOTAL NO. OF CHILDREN	TOTAL NUMBER OF PERSONS USED FOR THE STUDY IN EACH WARD
	MALE	FEMALE		MALE	FEMALE		
LIMAWA 'A'	6	4	10	3	2	5	15
LIMAWA 'B'	9	6	15	5	5	10	25
MAKERA	6	4	10	4	2	6	16
MINNA CENTRAL	4	3	7	3	2	5	12
MINNA SOUTH	7	8	15	10	10	20	35
NASSARAWA 'A'	6	4	10	3	2	5	15
NASSARAWA 'B'	6	4	10	3	2	5	15
NASSARAWA 'C'	4	4	8	3	2	5	13
SABON GARI	3	2	5	3	2	5	10
TUDUN WADA NORTH	3	2	5	6	6	12	17
TUDUN WADA SOUTH	7	8	15	6	6	12	27
TOTAL	61	49	110	49	41	90	200

SOURCE: Stratified simple random sampling technique based on the population magnitude of the wards in Minna.

3.4 INSTRUMENTATION

Two structured questionnaires were drawn up to elicit responses from the respondents for the study. Questionnaire 1, which was drawn up for adults (parents) was divided into two sections, A and B. Section 'A' deals with parents personal data while Section 'B' deals with the issue of the right of the child. The respondents were asked to tick (✓) the most appropriate box or boxes for each question. A total number of fifty – seven (57) questions were asked.

Questionnaire 2, which was drawn up for children of ages 8-17 years also had two sections. Section 'A' deals with the child personal data while section 'B' deals with questions in relation to their rights. A total number of 18 questions were drawn up to elicit responses on their perception of their rights.

3.5 METHOD OF DATA COLLECTION

The researcher personally visited the wards and distributed the questionnaires to the respondents randomly, based on the number assigned for each ward. This was after a pilot testing with necessary corrections made. The respondents were allowed time to fill in the questionnaire after which the researcher collected them back. This enhanced total collection. Any question that needed clarification was done by the researcher.

3.6 DATA ANALYSIS PROCEDURE

The responses of parent's perception from the questionnaire were tabulated into their categories. These responses were calculated using a simple percentage for the components for each of the rights under consideration. The same principle was applied to the perceptions of the children whose responses were subjected to a simple percentage under each right.

CHAPTER FOUR

4.0 PRESENTATION OF RESULTS AND ANALYSIS

4.1 DEMOGRAPHIC CHARACTERISTICS OF RESPONDENT

TABLE 4.1.1 Showing the Age Distribution of Parent Respondents

AGE GROUP	NUMBER	PERCENTAGE (%)
20-24	2	1.8
25-29	11	10.0
30-34	17	15.5
35-39	26	23.6
40-44	22	20.0
45-49	17	15.5
50-54	12	10.9
>-54	3	2.7
TOTAL	110	100.0

SOURCE: Responses from questionnaire (1) in Appendix 1

Of the total number of parent responses received, majority of the respondents (23.6%) are between the 35-39 age brackets. The least number of respondents (1.8%) were found in the 20-24 age brackets.

TABLE 4.1.2 Showing Sex Distribution of Parent Respondents

SEX	NUMBER	PERCENTAGE (%)
MALE	61	55.5
FEMALE	49	44.5
TOTAL	110	100.0

SOURCE: Responses from questionnaire (1) in Appendix 1

Majority of the parent respondents (55.5%) in this study are male.

TABLE 4.1.3 Showing Age-Sex Distribution of Parent Respondents

AGE	NUMBER OF MALE	MALE (%)	NUMBER OF FEMALE	FEMALE (%)
20-24	0	0	2	1.8
25-29	5	4.5	6	5.5
30-34	7	6.4	10	9.1
35-39	17	5.5	9	8.2
40-44	12	0.9	10	9.1
45-49	9	8.2	8	7.2
50-54	10	9.1	2	1.8
→ 54	1	0.9	2	1.8
TOTAL	61	55.5	49	44.5

SOURCE: Responses from questionnaire 1 shown in Appendix 1

Majority of the male respondents are between the 35-39 age bracket, while majority of the female respondents are between the 30-34 age bracket.

TABLE 4.1.4 Showing Age Distribution of Children Respondent

AGE	NUMBER	PERCENTAGE (%)
8-10	12	13.3
11-13	20	22
14-16	43	47.8
17	15	16.7
TOTAL	90	100.0

SOURCE: Questionnaire 2 in Appendix 2

Majority of the children respondent (47.8%) are between the 14-16 age brackets.

TABLE 4.1.5 Showing Sex Distribution of Children Respondents

SEX	NUMBER	PERCENTAGE (%)
MALE	49	54.4
FEMALE	41	45.6
TOTAL	90	100

SOURCE: Questionnaire 2 in Appendix 2

Majority of the children respondents are male (54.4%)

TABLE 4.1.6 Showing Age- Sex Distribution of Children Respondents

AGE GROUP	NUMBER OF MALE	MALE (%)	NUMBER OF FEMALE	FEMALE (%)
8 – 10	8	8.9	4	4.4
11-13	10	11.1	10	11.1
14- 16	25	27.8	18	20.0
17	6	6.7	9	10.0
TOTAL	49	54.5	41	45.5

SOURCE: Drawn from questionnaire 2 Appendix 2.

Majority of both male and female children respondents are between the age brackets of 14 – 16 years (27.8%, 20.0% respectively).

4.2 PARENTS PERCEPTION OF THE RIGHTS OF THE CHILD

The simple percentage (%) method is used for the presentation. It is analyzed table by based on the parents' perception of the following rights of the child:

1. Right to thought conscience and religion.
2. Right to freedom from discrimination:

3. Right to health: and

4. Right to education.

4.3 PARENT'S PERCEPTION OF CHILDREN'S RIGHT TO FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

TABLE 4.3.1 Table Showing Parent Perception of the Component That Make up the right of children to thought, conscience and Religion

COMPONENTS OF RIGHT TO THOUGHT, CONSCIENCE AND RELIGION	YES		NO		TOTAL	
	No.	(%)	No.	(%)	No.	(%)
CHILD EXPRESSION OF OPINION	104	94.5	6	5.5	110	100
LIMITATION OF EXPRESSION OF OPINION	69	62.7	41	37.3	110	100
DIFFERENCE BETWEEN CHILDRENS OPINION& PARENTS	82	78.8	28	11.2	110	100
CHILD CONSULTATION OF MATTERS CONCERNING THEM	104	94.5	6	5.5	110	100
FREEDOM OF CHILDRENS CHOICE OF RELIGION	36	32.7	74	67.3	110	100

SOURCE: Responses from questions 14,15,17,19 & 20 of questionnaire 1

The table shows that majority of the respondents (94.5%) believe that children have the right to express their opinion and be consulted on matters that concern them.

62.7% of the respondents said children right to expression should have its limitations.

67.3% of the respondents were of the opinion that children should not be allowed the freedom to choose their own religion.

4.4 PARENT’S PERCEPTION OF CHILDREN’S RIGHT TO FREEDOM AGAINST DISCRIMINATION

TABLE 4.4.1 Table Showing Components That Respondent Would Use To Discriminate Against Children.

COMPONENTS	YES		NO		TOTAL	
	No.	(%)	No.	(%)	No.	(%)
ETHNIC ORIGIN	2	1.8	108	98.2	110	100
BIRTH	1	0.9	109	99.1	110	100
SEX	3	2.7	107	97.3	110	100
LANGUAGE	0	0	110	100.0	110	100
RELIGION	8	7.3	102	92.7	110	100
SOCIAL BELIEFS	14	12.7	96	87.3	110	100
STATUS	1	0.9	109	98.2	110	100
DISABILITY	0	0	110	100.0	110	100

SOURCE: Responses from respondents to question 28 of questionnaire 1

The table shows that of those respondents who would discriminate against children majority of them (12.7%) would do so, on the basis of social beliefs.

This is followed by religion with 7.3%. None of the respondents would discriminate against a child based on the language or due to disability.

4.5 PARENT’S PERCEPTION OF CHILDREN’S RIGHTS TO HEALTH

TABLE 4.5.1 Table Showing Parent Perception of the Component that make up the Right of Children to Good Health

COMPONENTS OF GOOD HEALTH	NUMBER	PERCENTAGE (%)
Safe drinking water	65	59.1
Good Nutrition	73	66.4
Free health Care Service	81	73.6
Well Equipped Hospital Clinics	60	54.5
Preventive Health Care Services	66	58.2
Adequate information	47	42.7
Medical Checkups	76	69.1
TOTAL		

SOURCE: Responses to question 35 of questionnaire1 in Appendix 1

The table shows that 73% of the respondents were of the view that free health care services are a child right to good health. 66% believe that good nutrition is vital to good health. Only 42% of the respondents were of the opinion that adequate information is a right of children to good health.

4.6 PARENT'S PERCEPTION OF CHILDREN'S RIGHT TO EDUCATION

TABLE 4.6.1 Table Showing Parent Perception on Components That Make up the Right of the Children to Education

COMPONENTS OF CHILDREN RIGHT TO EDUCATION	YES		NO		TOTAL	
	No.	(%)	No.	(%)	No.	(%)
COMPULSORY EDUCATION	7	60	43	30.1	110	100
FREE BASIC EDUCATION	74	67.3	69	32.7	110	100
ATAINABLE SECONDARY EDUCATION	35	31.8	75	68.2	110	100
ACCESSIBLE HIGHER EDUCATION	76	41	64	58.2	110	100

SOURCE: Responses from question 48 of questionnaire 1 in Appendix 1

Majority of the respondents (67.5%) believe that a child has a right to free basic education. 60.9% of the respondents are of the opinion that children have right to compulsory education. Only 31.8% of the respondents are of the opinion that a child has a right to attainable secondary education.

4.7 CHILDREN’S PERCEPTION OF CHILD RIGHTS

The same method (simple percentage) used for the presentation of the parent respondents is used. The table by table presentation of the child’s right is based on the rights under study.

4.8 CHILDREN’S PERCEPTION ON THEIR RIGHTS OF FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

TABLE 4.8.1 Table Showing Children’s Perception on Their Rights of Freedom of Thought, Conscience and Religion.

RIGHTS	NUMBER	PERCENTAGE (%)
THOUGHT, CONSCIENCE AND RELIGION	56	62.2
ASSOCIATIO AND PEACEFUL ASSEMBLY	41	45.6
SURVIVAL AND DEVELOPMENT	53	58.9
NAME	39	43.3
PRIVATE AND FAMILY LIFE	41	45.6
MOVEMENT	54	60.0
DISCRIMINTION	44	48.9
DIGNITY	43	47.8
LEISURE, RECREATION & CULTURAL ACTIVITIES	45	50
HEALTH	53	58.9
PARENTAL CARE, PROTECTION & MAINTENANCE	50	55.6
FREECOMPULSORY AND UNIVERSAL PRIMARY EDUCATION	48	53.3

SOURCE: Responses from question 5 of questionnaire 2 in Appendix 2

Of all the right majority of the respondents (62.2%) were of the opinion that they had a right to freedom of thought, conscience and religion either alone or in combination with other rights.

TABLE 4.8.2 Showing Children’s Perception of the Components That Makes up Their Right to Freedom of Thought, Conscience and Religion

COMPONENT OF CHILDREN’S RIGHTS TO THOUGHT CONSCIENCE AND RELIGION	YES		NO		NOT SURE		TOTAL	
	No.	(%)	No.	(%)	No.	(%)	No.	(%)
EXPRESSION OF OPINION	82	91.1	8	8.9			90	100
INDEPENDENT THOUGHTS	79	87.8	9	10.0	2	2.2	90	100
ACTING CONTRAY TO PARENTS WISHES	47	52.2	41	45.6	1	1.1	90	100
MAKING DECISIONS	88	97.8	2	2.2			90	100
CHOICE OF RELIGION	90	100.0	0	0			90	100
PRACTICE OF RELIGION OF ONES CHOICE	16	17.8	74	82.2			90	100
FREELY PRACTICE THE RELIGION OF PARENTS	74	82.2	16	17.8			90	100

SOURCE: Responses from question 10 of questionnaire 2 in Appendix 2

The table shows that 91 % of the respondents are of the opinion that their freedom of thought entails expression of opinion. 97. 8% of the respondents believe that freedom of conscience entails making their own decisions.

82.2% of the respondents believe that freedom of religion means that a child is able to feely practice the religion of the parents. In the minority are the respondents (17.8%) who are of the opinion that freedom of religion enables one to practice the religion of ones choice.

4.9 CHILDREN’S PERCEPTION OF THEIR RIGHTS TO FREEDOM FROM DISCRIMINATION

TABLE 4.9.1 Showing Components that respondent would Use To Discriminate Against Fellow Children.

COMPONENTS	YES		NO		TOTAL	
	No.	(%)	No.	(%)	No.	(%)
ETHNIC ORIGIN	4	4.4	86	95.6	90	100.0
BIRTH	1	1.1	89	98.9	90	100.0
SEX	15	16.7	75	83.3	90	100.0
LANGUAGE	5	5.6	85	94.4	90	100.0
RELIGION	8	8.9	82	91.1	90	100.0
SOCAIL BELIEFS	8	8.9	82	91.1	90	100.0
STATUS	2	2.2	88	97.8	90	100.0
DISABILITY	12	13.3	78	86.7	90	100.0

SOURCE: Responses to question 17 of questionnaire 2 in Appendix 2

The table shows, the respondents who would discriminate against fellow children majority of them, 16,7% would do so on the basic of sex while 13.3%

would do so on the basis of disability of the child. Only 1.4% would discriminate on the basis of the circumstance of the child's birth.

4.10 CHILDREN'S PERCEPTION ON THEIR RIGHT TO HEALTH

Table 4.10.1 Showing Children's Perception on Their Right to Health

RIGHT TO HEALTH	NUMBER	PERCENTAGE (%)
YES	53	58.9
NO	37	41.1
TOTAL	90	100.0

SOURCE: Responses from question 5 of questionnaire 2

From the table 58.9% of the respondents are of the opinion that they have a right to health.

4.10.2 Showing Children's Perception of Their Right by Gender

SEX	NUMBER	PERCENTAGE (%)
MALE	32	35.6
FEMALE	21	23.3
TOTAL	53	58.9

SOURCE: responses from question 5 of questionnaire 2

The table that the male respondents 35.6 are more of the opinion they have a right to health.

4.11 CHILDREN’S PERCEPTION TO THEIR RIGHTS TO EDUCATION

TABLE 4.11.1 Table Showing Children’s Perception of Their Rights to Education alone or in Combination with Other Rights.

RIGHTS	NUMBER	PERCENTAGE (%)
FREE, COMPULSORY AND UNIVERSAL PRIMARY EDUCATION	48	53.3
ASSOCIATION AND PEACEFUL ASSEMBLY	42	46.7
THOUGHT, CONSCIENCE AND RELIGION	42	46.7
PRIVATE AND FAMILY LIFE NAME	42	46.2
MOVEMENT	44	48.9
DISCRIMINATION	42	46.7
DIGNITY	46	51.1
LEISURE, RECREATION AND CULTURAL ACTIVITIES	46	51.1
HEALTH	48	53.3
PARENTAL CARE, PROTECTION AND MAINTENANCE	45	50
SURVIVAL AND DEVELOPMENT	46	51.1
NAME	42	46.7

SOURCE: Responses to question 5 of questionnaire 2

TABLE 4.11.2 Table Showing Gender Representation of Their Rights To Education or in Combination with other Rights.

SEX	RIGHT TO EDUCATION ALONE OR IN COMBINATION WITH OTHER RIGHTS	
	NUMBER	PERCENTAGE (%)
MALE	19	21.1
FEMALE	29	32.2

SOURCE: Shown from question 5 of questionnaire 2

The table shows 32.2% of the female respondents are of the opinion they have a right to education. While only 21.1% of the male respondents are of the same opinion.

CHAPTER FIVE

5.0 Discussion

This study was conducted in Minna town to assess the societal perception to the rights of the child.

In all, two hundred (200) people were surveyed, one hundred and ten (110) adults (parents) and ninety (90) children.

The demographic characteristics shows the age range of the respondents were between 20 -70 years for adults and between 18 – 17 years for the children. Majority of the adult respondents fell between 35 – 39 age brackets. The male gender dominated the responses of the two target groups. As is expected, Minna being a city in the Northern part of Nigeria, majority of the respondents were of the Islamic faith.

From the finding of the study, 90.9% of parents and 78.9% of children respondents had heard about child rights. This high rate of awareness could be linked to the enactment of the Child Rights Act in 2003 and the controversies it has generated. Although majority of the respondents have heard about child rights, only about 56.4% of the parent respondents and even less of the children respondents 40% understand child rights to be a child right to survival, Development, protection and participation.

Despite controversies in different areas of the Northern part of the country to which Minna is a part on the rights of a child, from the respondents surveyed, 98.2% of them were of the opinion that a child has rights. Surprisingly only 36.4% of the parent respondents see privacy and family life as being a child's right. One would have thought that the family being the primary unit for the development of the child, priority would have been given to it as being a child's right. The low response however could be due to the almajiri culture existing in the town where children of tender ages especially the male, are kept with

Islamic Scholars to learn the Quran and Islamic education while at the same time are left to fend for themselves. Another reason for the low response could be as a result of family life being merged to the child's right to privacy. 37.3% of parent respondents responded in the negative to the question, "Do you allow your children the privacy to receive and make calls or engage in any other telegraphic communications?" This could mean that the negative response was in answer to a child's right to privacy, rather than family life.

The major findings of this study came under the following four (4) headings:

1. The right of a child to freedom of thought, conscience and religion;
2. The right of a child to freedom from discrimination;
3. The right of a child to health and
4. The right of a child to education.

5.1 Perception of a child's right to thought, conscience and religion

Tradition has it that a child should be seen and not heard. This study has revealed that this long standing tradition is fast being eroded. 94.5% of the parent respondents were of the opinion that children should be allowed to express their opinion and be consulted in matters concerning them. 32.7% of the children responses showed that where their opinions differed from that of their parents their parents accepted their opinion, while 34.6% said their parents tried to persuade them to accept their own view. This is a welcomed development and a far reaching improvement from time past when children were forced to accept their parents view or face the consequences, sometimes to the extent of being disowned. This development conforms to the principles of the Child Rights Act (CRA) 2003 and the United Nations Convention on the Rights of the Child which encourages parents to listen to the opinion of children and involve them in decision making. Far from what is thought, the CRA does not give

children authority over their parents, nor interferes with parent's rights and responsibility in relation to matters affecting their children. A child's participation in decision making must occur in a manner that is appropriate to the child's age and maturity.

Religion, especially the Islamic faith has been a major barrier to the domestication of the CRA. Interestingly however of the 32.7% respondents who were of the opinion that a child should be free to choose his own religion 17.8% were of the Islamic faith. Equally interesting and contrary to popular opinion, majority of those who were of the opinion that children should not be allowed to choose their own religion gave their reasons as being that children were too young to understand issues relating to religion, and not because it was against the practice of their own religion. 82.3% of the children respondents however, were of the opinion that their right to freedom of religion is being free to practice the religion of their parents. This response could be triggered off as a result of children indoctrinated on issues pertaining to religion by parents. The CRA¹ takes into cognizance, the age and maturity of children in sensitive issues such as religion and provides for the guidance of parents and legal guardians in the child's exercise of this right.

5.2 Perception of the Rights of a Child to Freedom from Discrimination

Although the CRA has not been domesticated into all the state laws, the right of a child against discrimination is an issue provided for under the 1999 Constitution², yet people and children in particular are still being discriminated

1. Section 7(2)

2. Section 42

against. It is a common practice to see the girl child, children born out of wedlock, children from minority groups and physically challenged children experiencing discrimination. It is however disheartening to know that children would discriminate against fellow children due to gender and disability, as the study has shown.

The study shows that gender and religion plays a significant role as regards child discrimination. Findings from the study showed that out of the 21.8% of parent respondents who believed that the male and female child should not have equal rights, 20% of them were of the Islamic faith, and 12.7% were male while the remaining 7.3% were female. This response could be attributed to the doctrine of the Islamic faith which does not accord equality to the male and female gender.

The discrimination rate of children respondents to fellow children was higher than that of parents. 24.4% of children were of the opinion that male and female children should not have equal rights.

The survey of children respondents revealed that 16.7% of them would discriminate against fellow children on the basis of sex, 13.3% disability, and 8.9% religion and social beliefs.

Discrimination of children for whatever reasons violates the provisions of the CRA and should be discouraged.

5.3 Perception of a Child's Right to Health.

There has been an increase in the awareness of a Child's right to health. Of the one hundred and ten (110) parents surveyed, 98.2% indicated their awareness of a Child's right to health. Only 48.0% of the children were aware of their rights to health showed that majority of the respondents 96.4% immunize their

children, and majority of the children (90%) had been immunized. This high response rate could be as a result of the polio eradication effort which is currently enjoying global attention and support by donor agencies including W.H.O in the global emergency campaign to eradicate polio by the year 2010, especially in Nigeria that still belongs to one of the ten countries in the world where polio is yet to be eradicated. The campaign being a house to house approach affords many children the access to immunization without moving out of their homes. This may however contrast with routine immunization which does not enjoy so much support and patronage because of our already weakened health care delivery system.

The immunization programme could equally be responsible for more than half of the respondents (54.5%), believing their children were adequately enjoying good health, alternatively it could be due to the fact that majority of the respondents are public servants and can afford to provide good health for their children without depending on the government.

Parents are seeing the need for periodic medical checkups for their children. Responses of 56.7% of the children respondents reveal that more children are being taken for periodic medical checkups by their parents. The study equally shows that parents are attaching importance to medical checkups of their children.

The use of hospitals for receiving treatment is receiving preference over other forms of medical help. Majority of those that obtain traditional medicine do so for not being able to afford to take their children to hospital.

The government needs to arise to the challenge of making sure that children are adequately provided for health wise. The provision of free health care might not be foreseeable in the near future, the government should however make the health care system affordable to all.

It is highly believed (81.8%) that government is not spending enough on health care.

Findings from the study showed that although it is expected of the government to promote the child's right to good health, there is equally the need for greater participation of Non-Governmental Organizations (NGO's) in the promotion of child health care.

5.4 PERCEPTION OF CHILD'S RIGHT TO EDUCATION

While 7.6% of adult respondents were aware of child rights to education only 48% of children respondents perceived they had a right to education. A study carried out by the Nigerian Institute of Advance Legal Studies in 1993 revealed that at the time of the study, Niger State had the highest percentage (%) of children who were not enrolled in school. With the increase in awareness of child's right to education, there has been a rapid increase in the number of children in the state who are enrolled in one school or the other, of the ninety respondents, 98.9% were enrolled in school. This could be as a result of the introduction of Basic Primary Education though not free but at a very minimal cost. The study revealed that there was not a significant disparity in the number of male and female children enrolled in the schools. There were a number of children who have been in schools but could not due to lack of finances.

Compulsory and free Basic Primary Education as enshrined in the CRA needs to be properly implemented in the state to ensure the child's right to education. Findings of the survey revealed that respondents recognize the fact that a child should have access to free and basic education. This will help to curb the engaging of children in income generating activities mainly to assist themselves or their families. The findings of the survey suggest that the government needs to do more to make sure that the right of children to free basic education is free not only on paper but in reality. The Universal Basic Education (UBE) is a welcomed scheme.

Findings from the study revealed that the domestication of the child's rights law is not getting the desired support, due to the following reasons:-

1. The view that the Law is too westernized (3.6%).
2. The belief that children will abuse the Law and become disrespectful to their parents (2.7%).
3. The view that the law is against cultural and religious beliefs of the society (14.5%).

Those who believe the law is too westernized based their views on the provisions of freedom of thought has already been addressed in this study. In the area of discipline however, the findings of the study has shown that the tide is moving away from physical punishment of children as is being advocated by the UNCRC. The study revealed from both parents (56.7%) and children respondents' (64.4%) that warning and advice is taking the centre stage in discipline for children.

Believing that children will abuse the law and disrespect parents goes to show that the purpose of the CRA has not been fully understood and grasped by respondents. The Act does not seek to eradicate the role of parents and family members in the care and protection of children. The promotion of child's right is not a matter of placing children in conflict with the adult authorities in their lives, but of encouraging all citizens to work together for a safe, healthy and productive future for children.

The major opposition of the domestication of the Act especially in the Northern part of the country is the perception that the CRA is against, or at variance with Islamic teachings and culture. The study however has revealed that this is not the view of majority of the believers of the Islamic faith. Majority of the respondents (58.2%) were of the opinion that the ripe age of marriage for the girl child is between the ages of 20-25 years. Of the 64.5% of the Muslim

respondents of the study only 9.3% of them were of the opinion that the ripe age for marriage of the girl child is below 18 years as the minimum age for contracting a valid marriage.

The issue of discrimination between the male and female child as it relates to religion has also been dealt with.

It is pertinent to note that whatever the religious or cultural views, cultural or religion should not be an excuse to violate the fundamental rights of the Nigerian child.

5.5 CONCLUSION

The study has shown that people are becoming more aware of the right of children but still need enlightenment in order to have a proper understanding of the law.

The study equally identified reasons for the opposition to the law. It has also revealed the desire of majority of the respondents to have a law in place to protect the rights of children.

5.6 RECOMMENDATIONS

In the light of the findings of this study, the following are recommended:

- ❖ There is need to provide the necessary information for proper understanding of the issues of the Rights of the Child.
- ❖ Engage all effort and resources necessary for the effective adoption and implementation of the rights and principles enshrined in the Child Right Act 2003 in Niger State.
- ❖ Implement policies to eradicate gender discrimination and discrimination against children with disabilities.

- ❖ The Government should ensure fuller participation of NGO's in the promotion of child health care.
- ❖ The Government should make basic education compulsory and free for all.
- ❖ The findings of educational sector should be increased.

APPENDIX 1

QUESTIONNAIRE (1)

A STUDY OF THE SOCIETAL PERCEPTION TO CHILD RIGHTS IN MINNA
PLEASE TICK (✓) THE APPROPRIATE BOX

SECTION A

- 1.0 Age.....
- 1.1 Sex: Male [] Female []
- 1.2 Religion.....
- 1.3 Occupation.....
- 1.4 Ethnic group.....

SECTION B

1. Have you heard about child rights? Yes [] No []
2. What do you understand by child rights?
- (a) Claims of children to survival []
- (b) Claims of children to educational Opportunities and health care []
- (c) Claims of children to survival, Development, protection & participation []
- (d) Others (specify) _____
- (e) I don't know []
3. Who is a child? (a) a person below 14 yrs []
- (b) a person below 18 yrs []
- (c) a person below 21 yrs []
- (d) Others (specify) _____
4. Are you aware that children do have rights? Yes [] No []
5. Do you think children should have rights? Yes [] No []
6. If yes, to what extent (tick those appropriate)
- Right to (a) Life []
- (b) Identity []
- (c) Freedom of Association []

- (b) Freedom of thought, conscience and religion []
- (c) Private and family life []
- (d) Freedom of Movement []
- (e) Freedom from discrimination []
- (f) Dignity []
- (g) Leisure, recreation and cultural activities []
- (h) Good health []
- (i) Parental care and protection []
- (j) Free, compulsory and universal primary education []

10. What in your opinion is the ripe age of marriage for the Girl child

11. Do you give your children the freedom to associate? Yes [] No []

12. Should there be a restriction to your child's freedom to associate? Yes []

No []

17. Would you mind if your child's opinion differs from your own? Yes []

No []

18. If yes

why? _____

19. should a child be consulted in matters concerning him/her Yes []

No []

20. Do you think a child should be free to choose his/her own religion? Yes []

No []

21. If No gives reasons

22. If your child chooses a religion different from yours how would you treat him/her? _____

23. Do you allow your children the privacy to receive and make calls or engage in any other telegraphic communication? Yes [] No []
24. If Yes, do you put restriction? Yes [] No []
25. Do you give your children freedom of movement
 (a) Yes [] (b) No [] (c) Partially []
26. If your answer to question 25 is b, give reasons

27. If your answer to question 25 is c, what are the restrictions (specify)

28. Would you discriminate a child based on any of the following? (Tick the appropriate one (s) if any.)
 (a) Ethnic origin []
 (b) Birth []
 (c) Sex []
 (d) Language []
 (e) Religion []
 (f) Social beliefs []
 (g) Status []
 (h) Disability []
29. Do you give room for your children to recreate (play)? Yes [] No []
30. Do you give equal opportunity for recreation to both male and female children?
 Yes [] No []
31. If no give reasons

32. Do you immunize your children? Yes [] No []

33. Should immunization be encouraged? Yes [] No []
34. Do you take your children for medical checkups? Yes [] No. []
35. What in your view are children's rights to good health?
- (a) Safe drinking water []
 - (b) Good nutrition []
 - (c) Free health care services []
 - (d) Well equipped hospitals/ clinics. []
 - (e) Preventive health care services []
 - (f) Adequate information []
36. Are your children adequately enjoying their rights to good health care!
Yes [] No []
37. If no what is mitigating against the children to good health care? (Tick one or more of the following).
- a. Poverty []
 - b. Insufficient equipped hospitals/clinics []
 - c. Lack of drugs []
 - d. Inadequate information []
 - e. Others (specify)_____
- 38 Who should promote the rights of children to good health?
- a) Parents []
 - b) Health workers []
 - c) Government []
 - d) Other (specify) _____
39. In your opinion is the government spending enough on health care? Yes []
No []

40. What form of medication do you give your children when they are sick?
- a) Traditional medicine
 - b) Drugs from the chemist
 - c) Go to hospital
 - d) Others (specify)
41. Why do you prefer the option you chose (give reasons)_____
42. Should children be sent to live with relatives or friends even when the parents can provide for their needs? Yes No
43. Should children be sent to live with their relatives against the wish of the child? Yes No
44. How many of your children of school age are presently in school?
- a) All of them
 - b) Some of them
 - c) None of them
45. If your answer to number 45 above is 'b' or 'c' give reasons why they are not in school.
46. Would you have liked those children not in any school to be in school? Yes No
47. How many of your children not in school presently finished primary schools.
- a) All of them
 - b) Some of them
 - c) None of them

48. What in your opinion are educational rights of children? (tick those appropriate)
- a) Compulsory education
 - b) Free basic education
 - c) Adequate schools
 - d) Attainable secondary education.
 - e) Accessible higher education
 - f) Other (specify) _____
49. Should children be taught human rights in school? Yes No
50. Should children be subjected to labour (work for remuneration)? Yes No
51. If yes for what reason (s)
- a) To assist the family
 - b) To help themselves
 - c) Others (specify) _____
52. Are any of your children engaged in child labour? Yes No
53. What measures do you use to correct or discipline your child?
- a) Scolding
 - b) warning/advice
 - c) Punishment
 - d) Corporal punishment
 - e) others (specify) _____
54. Should corporal punishment be meted out to child offenders? Yes No
55. Should child offenders under 18 yrs face the death penalty? Yes No
56. Would you support a law to protect your children rights? Yes No
57. Please express (if any) your reservations about the Child Rights Act.

Thank you for your participation.

APPENDIX 2
QUESTIONNAIRE (2)

A STUDY OF THE SOCIETAL PERCEPTION TO CHILD RIGHTS IN MINNA

PLEASE TICK (✓)) THE APPROPRIATE BOX

SECTION A

- 1.0 Age.....
- 1.1 Sex: male [] female []
- 1.2 Religion.....
- 1.3 Occupation.....
- 1.4 Ethnic group.....

SECTION B

1. Have you heard about child rights? Yes [] No []
2. What do you understand by child rights?
- a) Claim of children to life []
- b) Claim of children to educational opportunities and health care []
- c) Claim of children to survival, development, protection and participation []
- d) others []
- e) I don't know []
3. Who is a child?
- a) A person below 14 yrs []
- b) A person below 18 yrs []
- c) A person below 21 yrs []
- d) Others (specify)
4. Are you aware that you have rights? Yes [] NO []

5. What do you think are your rights?

Right to: (a) Life []

(b) Identity []

(c) Freedom of association []

(d) Freedom of thought, conscience & religion []

(e) Private and family life []

(f) Freedom of movement []

(f) Freedom from discrimination []

(g) Dignity []

(h) Leisure recreation & cultural activities []

(i) Good health []

(j) Parental care and protection []

(k) Free, compulsory and universal primary education []

(l) Don't know []

6. Should the male female child have equal rights? Yes [] No []

7. What in your view are your rights to freedom of thought, conscience and religion?

(a) Being able to express your own opinion []

(b) Being able to think differently from your parents []

(c) Being able to act contrary to your parents wish []

(d) Being able to make your own decisions []

(e) Being able to choose your own religion []

(f) Being able to choose your own religion []

(g) Being able to practice the religion of your choice []

(h) Being able to freely practice the religion of your parents []

8. Have you ever expressed an opinion different from your parent? Yes [] No []

9. If your answer to question 8 is yes how did your parents react?

- a. They were angry []
- b. accepted your opinion []
- c. they did not react []
- d. tried to pursued you to accept their own view []
- e. others (specify)_____

10. Should a child be discriminated based on any of the following? (Tick the appropriate one (s) If any)

- a). Ethnic origin []
- b). Birth []
- c). Sex []
- d). Language []
- e). Religion []
- f). Social beliefs []
- g). Status []
- h). Disability []

11. Have you ever been immunized? Yes [] No [] don't know []

12 Do your parents take you for medical check up? Yes [] No []

13. What form of medication do your parents give you when you are sick?

- (a) Traditional medicine []
- (b) Drugs from a chemist []
- (c) Go to a hospital []
- (d) Others (specify).....

14. Are you currently enrolled in any school? Yes [] No []

15. If yes, what level?

- (a) Primary []
- (b) Junior secondary []
- (c) Senior secondary []

16. If your answer to question 14 is No, what is the reason?

- (a) I don't want to go to school []
- (b) My parents do not have money to send me to school []
- (c) I don't know []
- (d) Others (specify)

17. What measures do your parents use to correct or discipline you?

- (a) Scolding []
- (b) Warning/ advice []
- (c) Punishment []
- (d) Corporal punishment []
- (e) Others (specify).....

18 Would you like a Law to be put in place to protect your rights?

- Yes [] No [] don't know []

THANK YOU FOR YOUR PARTICIPATION

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