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## NIGERIAN ENVIRONMENT AND THE CHALLENGES OF IMPLEMENTING THE CHILD RIGHTS LAW: A CASE STUDY OF AKWA IBOM AND CROSS RIVER STATES

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### ABSTRACT

The purpose of this study is to examine the challenges faced by the authorities concerned in the implementation of the child's rights law in both Akwa Ibom and Cross River state respectively. No doubt, it was also argued that the right of a child may not be guaranteed, or be protected in the face of poverty where a child of five years hawks food items on the streets of Uyo and Calabar for survival. To ensure a systematic analysis of this study, data collected shows that ideally, the Nigeria environment poses challenges to the implementation to the child's rights law. In order to ensure proper responses from the two states under study, simple random sampling technique was adopted. The study suggests holistic implementation of the child right law not only in Akwa Ibom and Cross River but Nigeria as a whole devoid of political gimmick. The appropriate statistical technique adopted to test the hypotheses was Pearson's Product moment correlation.

**KEYWORDS:** *Nigerian environment, implementation, child's right law, and challenges.*

### INTRODUCTION

Developing interest in the rights of a child in Nigeria is not a night mare again since the Federal Government of Nigeria had adopted the United Nation's convention on the right of the child into our National legislation and practice with effect from 2003 law. Although some states are only recently being to awaken to this global call by the promulgation and ratification of the United Nation's convention on child's right law, it is not so, with Akwa Ibom and Cross River States. Without any debates it is important to understand that Akwa Ibom state Government had mainstreamed the provisions of the convention on the child's Rights Act and adopted same into law in 2008 while Cross River State Government in her probity to ensure social service delivery to her people adopted the child's right Act into law in 2009 respectively.

This was a welcoming development for both states since Human rights Education and indeed the legal right of the child and its remedies have become a central discourse on public policy making and social work education in Nigeria and international communities. Obviously, since 1959, several international documents had sought to achieve the aim of protecting the right of children, such laws were, league of Nation declaration of the right of the child. According to Oyesina (2010), in 1924 United Nations declaration of the right came into action, while in 1959, declaration of the right and welfare of the African child was advocated in 1979 and the 1948 Universal

declaration of human rights was promulgated. Sequel to the aforementioned laws from the states, federal and international communities, and one sad thing is that children are still deprived from enjoying the full benefit of their basic rights. Before the enactment of the child right Act, 2003, children have suffered untold hardship in the exercise or demand of their rights. For instance, in Akwa Ibom and Cross River States where these laws were adopted in 2008 and 2009 respectively, children in these states are abandoned with harmful treatment occasioned by traditional practices and cultural involvement of the people. In this scholarship, we intend to X-ray and examine the child's right laws of Akwa Ibom and Cross River States, conduct data analysis establishing the responses of the people in the two states to ascertain if the child's right law has been implemented to the latter and if not implemented barriers to effective implementation of the laws. Consequently, in answering the above mentioned questions, we are not going to give barraged answers but will recognize the problem of implementing the child's right laws as the paper seek to address. It is pertinent to state that effective implementation of the child's rights law of any society is measured by the civilization of that society, as it is enacted by law No 4 of Cross River State government, 2009, these rights includes:

The right to affection, love and understanding

The right to adequate nutrition and medical care

The right to free education

The right to full opportunity for play and recreation

The right to Name and Nationality

The right to special care, if handicapped

The right to be among the first to receive relief in times disaster

The right to be useful member of society and develop individual abilities

The right to be brought up in a spirit of peace and universal brotherhood. etc.

The rights to enjoy these rights among other things are by providing an enabling policy environment like the child policy which seeks to translate the child's rights Act into specific objective and target. Another area of concern is that the child's court should be established to try matters related to child abuse.

## **LITERATURE REVIEW**

The introduction of human rights education into the international curriculum of western society for academic scholarship has become evidence for the advocacy of basic rights since 1950s. According to Oyesina (2010), toward the end of the 20<sup>th</sup> century, civic organizations interested in the welfare of children started agitating for the broad based legislation that would protect the rights of children and their efforts couple with the domestic implementation of United Nations convention on the rights of the child. Research study shows that organization of African Unity charter in the same vine culminated in the enactment of the Act. As part of this response to address the problem of the Nigerian child, The Federal Government mainstreamed the provisions of the UN convention on the right of the child into National legislation and practice with a 2003 law (Committee report on right of Nigerian child). However, it was in pursuance of this

universal adoption of the child's right Act that made Akwa Ibom and Cross River States adopt the law in 2008 and 2009 respectively so that the children of the above mentioned states could enjoy the rights guaranteed in the convention. In all of these, the adoption of the child's right law is one thing and it is another thing for the enforcement of the law and its implementation. According to Olaniyi (2001), implementation is a process of interaction between setting of goals and actions geared towards achieving them. It is often said that policy implementation is program implementation. This explains why Egonmmwan (2006), describe implementation as the stage where you grapple with reality of the problem which the child's right law seek to tackle or addressed. Considering basic service like food, shelter, medical care, education among others, Gordon and Townsent (2005), noted that social service like medical care of the this not negotiable because it is the right of the child to access medical treatment without deprivation. In their advocacy they lamented a situation whereby the child in some areas was unable to be immunized against killer disease due to poor implementation of medical policy. Another contending force in the implementation of the child's right laws in Akwa Ibom and Cross River State is the political environment; do these states have the political environment that is pleasant for proper child development? For instance, in Akwa Ibom/Cross River children have been among the principal victims of the political, social and economical crises that have confronted Nigeria in the last 30 years. Consequently, the long years of military rule in Nigeria, with its flagrant disregard to human rights, added to our huge population, made it impossible for Nigeria to give the desire attention to child's right and the welfare of children as well as domestic protection to the child. The political environment has been one of instability and widespread use of oppressive, repressive and authoritarian methods by this states and government official to tackle most socio-political problems. As apathy observed by Charles, Ikoh, Iyamba and Charles (2005), children who commit criminal offences are dumped into detention with adult criminals and are treated harshly and crudely. This practice is a direct result of the socio-political environment of Nigeria whereby Akwa Ibom and Cross River States are part of its creation.

In another development, Alston and Bhuta (2005), opined that the best interest and welfare of the child should be promoted by the parents and caregivers as well other Government Agencies like Social Welfare Department, and Women Affaire Ministry. The Nigerian social environment is today characterized by the decline of civic and moral values, hence the prevalence of child abuse and neglect as well as increase in the level of drug abuse among children in Akwa Ibom and Cross River State is as a result of decline in moral values in government institutions, family and even churches leading to indiscipline at several levels of the society. However, in spite of the impressive laws put in place by the states under study, the right of the child is brutally violated with impurity. As pointing by Owasanoye and Wernham (2004), major factors for Nigeria as a country in is overall dismal performance includes the fragility of the constitution and public institutions. In other words, the few challenges mentioned are what bedeviled the implementation of the child's rights law in these states. The umbrella legislation, promotion, or protection of the rights of the child in Akwa Ibom and Cross River States

is more than a mere theoretical Act or policy statement. The social development policy (SDP) and the national program of action for the survival, protection and development of the Nigerian child (NPA) which seek to address the survival, development, health, education and protection of the child should be looked into, hence, the child's right law, in the aforementioned states will be abysmal failure if the child's rights law is not effectively implemented.

## **METHOD**

This study covered two states, Akwa Ibom and Cross River States. The rationale for the selection of these states are because Akwa Ibom has three Senatorial districts comprises of Uyo, Ikot Ekpene, and Eket Senatorial districts, on the other hand, Cross River has three Senatorial district, Northern, Southern and Central Senatorial districts. Again, Akwa Ibom adopted the child's rights law in 2008 while Cross river adopted in 2009, a part from the aforementioned, the two states has and shares cultural and environmental similarities. In order to ensure proper responses from the two states under study, simple random sampling technique was adopted and this is appropriate because it permit freedom of selection which also gave a chance at least to all qualified subjects in the sample, Denga and Ali (1988). To achieve this, 170 pupils each were randomly selected from Uyo, Eket and Ikot Ekpene representing the three Senatorial districts of Akwa Ibom with the population 510 pupils. Cross River with 170 pupils each from Northern, Central and Southern Senatorial districts making 510 pupils. In all, the total sample size used was 1,020 pupils from the two states. The researchers adopted oral interview questionnaire (OIQ) method on vital areas that affect the child's rights and their well- being.

## **Research Questions:**

1. Is there any relationship between child rights and medical care?
2. Is there any relationship between affection shown to the child and the implementation of the child rights law?

## **Hypotheses:**

1. There is no significant relationship between the child rights and medical care.
2. There is no significant relationship between showing affection to the child and implementation of the child rights law.

## **Hypothesis one**

The null hypothesis stated that, there is no significant relationship between medical care and implementation of child right.

The independent variable of this hypothesis is medical care while the dependent variable is implementation of child right. The appropriate statistical technique adopted to test the hypothesis was Pearson's Product moment correlation. The result was presented on Table 1.

**TABLE 1**

Pearson's product Moment Correlation analysis of relationship between medical care and implementation of child right (N=1000).

Variable	$\sum X$ $\sum X$	$\sum X^2$ $\sum X^2$	$\sum XY$	r-value
Medical care	27740	43523	4126748	0.79*
Implementation of child right	171520	231245		

**Significance at .05 level, critical r = 0.062 df = 1998,**

The result of analysis presented on table 1 revealed that the calculated r-value of .79 is greater than critical r-value of .62 at .05 level of significance with 1998 degree of freedom. This result implies that there is significant relationship between medical care and implementation of child right. With this result the null hypothesis is rejected.

**Hypothesis two**

The null hypothesis stated that, there is no significant relationship between showing affection and implementation of child right.

The independent variable of this hypothesis is showing affection while the dependent variable is implementation of child rights. The appropriate statistical technique adopted to test the hypothesis was Pearson's Product Moment correlation. The result was presented on Table 2.

**TABLE 2**

Pearson's Product Moment Correlation analysis of relationship between showing affection and implementation of child right (N = 1000).

Variable	$\sum X$ $\sum X$	$\sum X^2$ $\sum X^2$	$\sum XY$	r-value
Showing affection to the child	31780	56453	4098684	0.54*
Implementation of child right	171520	4160		

**Significance at .05 level, critical r = 0.062 df = 1998,**

The result of analysis presented on table 2 revealed that the calculated r-value of .054 is greater than critical r-value of .062 at .05 level of significance with 1998 degree of freedom. This result implies that there is significant relationship between showing affection to the child and implementation of child right. With this result the null hypothesis is rejected.

**DISCUSSIONS**

The result of the analysis in table 1 revealed that there is a positive significant relationship between medical care and implementation of child right. In line with the above result is the view of UNICEF (2001) that the availability of health care services

within a reasonable distance and their affordability are key basic service that could build bridge of love between the child and the government. This is true because when the child grows up he or she will want to serve his country because the state or the country are able to provide the essential service that can make her citizens be committed to its duty. In other hands, Gordon and Tonsend (2005), noted that social service like medical care of the child is not negotiable because it is the right of the child to access medical treatment without deprivation. In their advocacy they lamented a situation where the child in some areas is unable to be immunized against killer disease. In table 2, the study uphold that parents should meaningfully promote the care of their children this was in line with Alston and Bhuta (2005), that the best interests and welfare of the child should be promoted by the parents, caregiver, social welfare department, women and children affairs ministry among others.

### **CONCLUSION/RECOMMENDATIONS**

1. There should be holistic policy framework for the states under study to handle issues related to the child rights. And there should be measures put in place by the duo to implement the child rights law.
  2. The Federal Government of Nigeria should give states legislative backing in establishing special family court to determine matters related to children.
  3. The Federal Government should urgently legislative law asking all the State Governments to make Basic Education free and compulsory as it is done in Akwa Ibom State.
  - 4 There should be holistic monitoring of health workers to health institutions on how children are been treated not only on states under study but nationwide.
- The stigmatization of children as witches and wizard negate the spirit of parental love, care, and affection. This barbaric practice should be stopped by government imposing life imprisonment on offenders upon conviction.
- Child trafficking should be looked into by the Federal, State and Local Governments by putting stringent mechanism in tackling the problem; this could be through legislation devoid of political gimmick.

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