

MUSLIMS UNITY ON SOCIAL SECURITY:AN APPRAISAL OF CHILD ABUSE IN NIGERIA

BY

KAWATA, SHUAIB ISMAIL.

**UNDER GRADUATE STUDENT, DEPARTMENT OF ISLAMIC STUDIES,
UNIVERSITY OF ILORIN, ILORIN, NIGERIA.**

PHONE NO: 08068304757/08188885559

Email:ismailkawata@gmail.com

BEING A PAPER PRESENTED AT 2017 CONFERENCE ON ISLAM IN NIGERIA (COIN) ORGANISED BY THE ISLAMIC WELFARE FOUNDATION IN COLLABORATION WITH THE DEPARTMENT OF ARABIC AND ISLAMIC STUDIES,UNIVERSITY OF IBADAN,IBADAN,NIGERIA.

THEME: MUSLIM UNITY AND THE QUEST FOR NATIONAL INTEGRATION IN NIGERIA

DATE: 20TH – 23RD NOVEMBER, 2017.

Abstract

Children are the future of the Nation and they need to be protected and promoted intellectually. However, children are terribly encountering severe setback through non challant attitude of the Nigerian parents. Such setback was on child abuse: such as child labour, child trafficking and force marriage. The research employs Historical methodology. Children had been in this imbroglio before the advent of the full practical of Islam by the Prophet Muhammad {P.B.O.H}. The findings revealed that the diverse cultural perspectives of child rights in Nigeria are contributory factors to the bane of social security of children. Worthy of note are the doctrinal beliefs of the traditional Muslims in Hausa and Yoruba lands. These have impact on the scourge of child marriage and labour. The practices are however subjected to Islamic assessment. The findings and conclusions show that there exists rampant rate of divorce and drop-out from schools. These have devastating impact on the growth and development of the country. Recommendations suggested include overhauling of

the Muslims community through resuscitation of the Islamic ideal heritage of the child training. This can be achieved through conferences and seminars

Key-words: *Child labour, child trafficking and force marriage*

Introduction

Children are worthy to be valued and protected because of the adage which says: “Children are the leaders of tomorrow”, Children’s rights in Nigeria is at jeopardy due to sensational news captured by the mass media on regular basis. Seemingly about 72.9% Nigerian children experience various forms of child abuse based on daily assessment. The forms of child abuse include: sexual harassment, child marriage, ritual killing denial of education rights, hawking, and child trafficking. t.c. but are we making a sound provision for future of our children in this country. Some countries are working seriously on the protection and the survival of the children across the world but in Nigeria reverse is the case. It was in Nigeria that the girls of 14 years of age will be released in marriage without the consideration of the prime of life of the child and her willingness. The rate of child abuse is so rampant and solution needs to be provided. Marriage under duress and child labour are culturally acknowledged and practiced by some tribes in Nigeria. The cultural beliefs have been the bane against the crusade on the resuscitation of children’s rights in some parts of Nigeria. The case of child labour and child marriage is rampant in Hausa and Yoruba lands. These are fundamentally against the principles of Islam because Islam gives room for maturity and

consent of the parties involved in marriage contract. Though, Islam not mentions a specific age but maturity and readiness of the prospective wife and husband are vital.

Child abuse

Child abuse can be defined as the process of denying the fundamental rights of the children. Child abuse leads to ill-treatment of the child. In a country where child abuse is being practised such country is referred to as under-developed country. The following are some of the types of child abuse: Currently in Nigeria, children are been abused every single day intentionally and unintentionally.

The existences of child abuse in history are (infanticide, abandonment, severe physical chastisement, child trafficking, child marriage, child witchcraft abuse, street trading And harsh labour) is indisputable in Nigeria. However, the extent of such abuse and the Interpretation of it within the societies where it took place is issues of greater contentions. ⁽⁷⁾

Child sexual abuse

Child sexual abuse is another types of child abuse which is the engagement of a child in sexual act that they do not fully embrace, or for which the child is not developmentally prepared and cannot give consent, or that violate the laws or social taboos of a society.

This may be the exploitative use of child in prostitution or other unlawful sexual practices. ⁽⁹⁾

While, “commercial/exploitation of a child refers to use of the child in work or other activities for the benefit of others. This may include child labour and child prostitution. These activities are to the detriment of the child’s physical or mental health, education, or spiritual, moral or social-emotional development”. ⁽¹⁰⁾

Child labour

Child labour is an act of involving someone under age in struggling for his/her survival. Child labour is the employment of the children under age of 18 in a manner that restrict or prevent them from basic Education which later partially bane them from being the future of the nation. The children have the right to survive, under Shari'ah, at the expense and responsibilities of their parents. This is functionally expected of the parents until the child gets to age of 40.

“.....And his bearing and weaning are in thirty months, till when he reached to his strength and attained the age of forty years....”⁽⁸⁾

There are some obvious factors influencing child labour! The economic meltdown in the country has affected every sector of human endeavours. This has negative effects on the fundamental parental responsibilities: Many children hawk and roam the streets in Nigeria especially the commercial areas. The victim children are constant truants in their respective schools. These children received little or no parental attention and need to vend for themselves such abandoned children engage themselves in petty trade or begging attitudes. In some circumstances, they are often victims of abduction and sexual harassment. Some state government in Nigeria such as Kwara state in 2010 had made drastic approach in the past to arrest the ugly situation. The school age children not in their respective schools during school session were always arrested and the concerned parents were made to face punitive measure.

The intermittent payment of salary syndrome to civil servants and lack of readiness on the part of government to sustain the professional inputs in educational sector in Nigeria. The parent are thus faced with insufficiency of fund to cater for the educational needs of their children while the teachers are not enthusiastically motivated to impart expected standard knowledge to the students who are the potential leaders of tomorrow. Thus, some parents unwillingly withdrew their children and engaged them in what they consider lucrative hawking trade to sustain their means of livelihood. With these appalling encounters, an average national Nigerian is faced with the anxiety over the fate of children in future Nigeria.

Consequences of Child labour/child abuse

The consequence of child abuse in general is horrifying. The abuse of a child has a very devastating consequence for both the individual and the community at large. Undermining the consequences of child abuse can result in serious problems to the entire communities and state security. The individual consequence of child abuse can lead to rape, physical assault, psychological trauma, serious disease, and health risk such as sexually

transmitted diseases, tuberculosis and other communicable diseases. It may also result in unwanted pregnancies, forced abortion and abortion-related complications, mental and emotional problems, including, insomnia and suicidal tendencies. Community consequences include the rise of criminal organization and other criminal activities, corruption and problems of national security. ⁽¹²⁾These consequences are very problematic. These are some of the problems

already face in Nigeria. Corruption in government office is undisputable, criminal activities including armed robbery and burglary is so rampant.

It leads to drop out from school. Generally, working children have no time, money or energy to go to school. About six million working children in Nigeria, equally split between boys and girls, do not attend school at all. While one million children are forced to drop out due to poverty or because of parents' demand to contribute to the family income. Over eight million children manage, at least partly, to stay in school and work in their spare time to pay education fees. Due to high demands at work, these children often skip classes. ⁽¹⁾

Force marriage

Force marriage can be defined as an act of giving one in marriage to someone without the seeking of the consent of the bearer. Islamically, marriage is based on certain required qualities. These are maturity, wisdom, knowledge and understanding, marriage that lacks understanding, knowledge e. t. c will end destructively. Force marriage is not encouraged in Islam. Qur'an, chapter 4 verse 3 reads this:

“....Marry any of your choice among the ladies....”⁽²⁾

The above verse proves that both male and female should not be forced to marry someone but with their consent so as to avoid divorce in the society.

Child marriage was a common thing amongst the Hausa people, on her delivery day, she might have being given to someone in marriage. The Islamic required pillars of marriage are not taken into consideration. This was traditionally practiced in Yoruba land where friends would give her daughter in marriage to his friend's son, this often led to divorce and drop-out from school.

The findings on difference Cases on child labour and force marriage

- a) In some Nigerian education institutions such as Universities, polytechnics and colleges of Educations, Children under age usually come to the people in hostel for work such as helping them to wash, to fetch water and to flush e.t.c. They called them “OMO ONI SE” The children who are for jobs.
- b) At Mandate modern market and other associated markets most of the children working as sales girls are under age and they also work as house girls. Their master/mistress pay at the end of the year to those who brought them from village without giving 90% of them formal Educational training. Government should find solution to this and this can only be seriously achieved through conferences and seminars.
- c) At Lagos there was an eight year old girl who is known as SophiaSheidu and she was beaten brutally by her guardian to the extent that she could no longer sit down, but lies down on her stomach. But according to the girl, she is not in any angle related to him, that she was just mere worker in his(Shuaib) House (Housemaid).The girl even said he habitually to beat her every day without reasons. This happened at Lagos.⁽³⁾
- d) At UsmanDanfodio University Sokoto, Sokoto. There are Children of age of 4 and 17 who were known as Yaro and Yarinya “meaning” small boy and girls who usually roam about the institution especially the mentioned University for menial jobs, this was later found out that their parent were also aware of their tedious jobs purposely to assist the family.⁽⁴⁾
- e) Among Hausa people, children of less than 14 years of age were beggars beside roads, the government should be proactive to safe the children.
- f) At Eyenkorin in Ilorin Kwara State, many children are seen peddling breads beside the road during the school session and nothing has been done to effect positive change.
- g) There was a girl of 14 year of age known as Wasilla Umaru purportedly poisoned her 35 year old husband who was known as UmaruSanni and three others with his friend too, using the rat poison in the food prepared for him, and from the findings from her.She openly confessed that she deliberately did it because she was forced to marry the man she did not love. This event occurred at *UngwarYansoro, Gaya Kano State*.⁽⁵⁾

Forms of child abuse in Nigeria

Where do some of Nigerian Children Work according to Unicef 1996

1. Public places such as streets and markets:

- Street vendors (64%): The child selling news papers usually happened among the Yoruba people especially in Lagos.
- beggars (13%) and this was very common among the Hausa people in Nigeria
- shoe shiners (4%) :this also rampant among the Hausa people in Yoruba land in Nigeria
- Car washers/watchers (6%): This was famous among the Yoruba people
- Scavengers (5%): This is also serious among Hausa people

2. Semi-Public Settings Such As Cottage Industries And Mechanic Workshops

- ❖ Vulcanizers (24%,) This is common in Yoruba lands
- ❖ bus conductors (17%) also common in Yoruba lands as well
- ❖ iron / metal workers (6%): Also common in Yoruba lands
- ❖ Carpenters (14%): Also common in Yoruba lands
- ❖ Tailors / weavers (14%) Common in Yoruba lands
- ❖ Hairdressers / barbers (18%):Common in Yoruba lands
- ❖ Caterers (8%): Common in Yoruba lands.⁽⁶⁾

There is misconception by some Muslims on early marriage of females

Importantly, the onset of menstruation has been interpreted as rush the daughters marriage. However: On the authority of Aishat may the peace of Allah be upon her who said:

“A woman entered her house with two girls and asked Aisha to give them what to eat because they don’t have any to eat at home, Aishah said to their mother: I don’t have any at home but only one fruit and she gave their mother and she instantly shared the fruit to them without taking part, and the mother went off and left the girls with Aisha”. After some minute the prophet entered and met the girls with Aishat and Aishat narrated the scene to the prophet and the prophet said: “Whoever that Allah tested (troubles) on these/thegirls with a particular predicament and the parents try to safeguard them without allowing them to be engaged in doing rubbish till they marry such girls will make them (parents) enter paradise”.

This should be understood to jealously guide the daughters to be upright and chaste.

Consequences of force/child marriage

1. **It leads to drop out from school:**Force marriage usually leads to abandonment of school because the year she suppose to be in school was the year she married and from findings
2. It usually leads to divorce:Indiscriminate divorce is hated in the sight of Allah. He says in Q.4:3 “Marry amongst the ladies any of your choice.....”the reasons of allowing the male or female to marry any of his/her choice is to avoid divorce.
3. **It leads to destitution:** This may strongly lead to serious problems and poverty because the child that has no education background, and sound Islamic knowledge through Arabic schools. Such affected child had no time for her study before getting married. Aisha, the daughter of Abu-Bakr and wife to holy prophet Muhammad was historically recognized as a knowledgeable wife of the prophet. Therefore, missing out on education of a particular child makes it impossible to break the cycle of poverty. And one of the conditions of marriage according to the prophet is “Ijabwalqubul” “Proposal and acceptance”.

This must take place before giving any child in marriage to anybody.Ijabwalqubul comes before Sadaq. Marriage in Islam can only be contracted with the free consent of the two parties. ⁽¹¹⁾

Looking into Aishah, the wife of the Prophet Muhammad (S.A.W), she was already in love with the Prophet before her father gave her in marriage to the Prophet after the demise of Khadijah, the prophet’s first wife.

In conclusion,the findings revealed that diverse cultural beliefs in Nigeria, poverty, insensitiveness of government to the expected responsibility and misconceptions about Islam are factors responsible for the forms of child abuse in Nigeria. There is need for concerted effort by the Muslims towards unity of purpose to resuscitate the ethnical teaching of the Qur’an and Sunnah of the Prophet Muhammad(S.A.W) on social security of the children.The new orientation drive is desirable for all stakeholders in nation building and national security.

Recommendation

1. The consent of the children should be sought before giving them in Marriage so as to reduce the rate of divorce in Nigeria.
2. Level of Education of the children should also be considered before giving them in Marriage.

3. Parents should seriously have it at the back of their mind of training their children to any length, so as protect the children' future and to help the parent as well the nearest future of Nigeria.
4. Parent should not expose their children to illicit jobs such as street hawking or otherwise, while others were in school.
5. Both Federal and state government should not be deterred on the provisionsfor the children of the nation, and they should remember that children are the future of the nation and peculiarly on the child marriage which was as a result of missing out on Education and they should be watchful on the prophetic saying:

“When you train a lady you have trained the nations”.

6. The government should work hand in hand with the community in capturing especially the issues on child trafficking and harsh labour for the development of the nation.
7. The government as well should do the righteousness on the fundamental human right, by giving free Education according to ObafemiAwolowo Educational system.Also shouldmake Education compulsory after making it free.
8. The government should also please make committee that will be on look out on all the state government on the regular payment of the salary for it affect the development of the nation itself, at the same time federal government should checkmate themselves where necessary on the welfare of Nigerian, such as perfect payment, more job opportunity and free Education for the children. God bless Nigeria and God bless Islam.

REFERENCES

Unicef Nigeria: (2006) on child abuse.

TafsirIbnKasir: Q.4:3.

Punch: 8th April 2014 at page 8. 15th March 2014 at page 45.22nd March 2014 no page.

The Nation: 6th March 2014 page 31.

The Nation: 10th April 2014 at page 65.

Unicef 1999: Childhood under threat.

Corby 2006.

TafsirIbnKasir: Q. 46:15.

WHO 1999.

WHO 1999.

AbdurRahman I Doi: (2007) Shariah: The islamic law (page :123).

Garbarino et al (1992).