
Being a Paper

Delivered by

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Opening Charge

‘Each second we live is a new and unique moment of the universe, a moment that will never be again? And what do we teach our children? We teach them that two and two make four, and that Paris is the capital of France.

When will we also teach them what they are? We should say to each of them: Do you know what you are? You are a marvel. You are unique. In all the years that have passed, there has never been another child like you. Your legs, your arms, your clever fingers, the way you move.

You may become a Shakespeare, a Michelangelo, a Beethoven. You have the capacity for anything. Yes, you are a marvel. And when you grow up, can you then harm another who is, like you, a marvel?

You must work, we must all work, to make the world worthy of its children.’

Pablo Casals

‘Never in the history of our world has the children been under the kind of siege and abuse they are today.’ United Nations Survey

Bridges of Discussion:


The Law

...The Law Rules All Things
...The Law is the foundation of modern society
...The Law is an instrument of Social Change

What Law(s) as it affects of the Child and His/Her Protection

Focusing on the CRA: Basic Facts

- According to the 1999 Constitution an ‘Act’ or ‘Act of the National Assembly’ means any law, which takes effect under the provisions of this Constitution as an Act of the National Assembly while ‘Law’ means a law enacted by the House of Assembly of a State.
- The Act has 278 Sections and 11 Schedules.
- The Child’s Rights 2003 was enacted by the National Assembly of the Federal Republic on Nigeria and has 31st July, 2003. It is ‘AN ACT TO PROVIDE AND PROTECT THE RIGHTS OF A NIGERIAN CHILD; AND OTHER RELATED MATTERS.’
- Who is a child? According to Section 277, a child is anyone below the age 18.
- For the Act to be enforceable in a State is must be passed into law by the House of Assembly of the State.

4 Baskets of Rights

- Survival which includes the rights of the child to life, good health, balance nutrition and related matters, Key Household Practices (KHHP) (see Sections 12 & 13);
- Development which include the development of the child, spirit, soul and body (see Sections 15 & 29);
- Protection, which include protection of the child from child labour, child trafficking, ritual killing, sexual, physical, emotional abuses and neglect (see Sections 21-52)
- Participation, which include the right of the child to be involved in matters that concerns them (see Sections 3(1) (2), 6, 7, 8, 13, 19 & 20

Dwelling on Child Sexual Abuse

31.—(1) No person, shall have sexual intercourse with a child.
(2) A person who contravenes the provision of Subsection (1) of this section commits an offence of rape and is liable on conviction to imprisonment for life.
(3) Where a person is charged with an offence under this section, it is immaterial that—
(a) the offender believed the person to be of or above the age of eighteen years ; or
(b) the sexual intercourse was with the consent of the child.

OTHER FORMS OF SEXUAL ABUSE AND EXPLOITATION
32.—(1) A person who sexually abuses or sexually exploits a child in any manner not already mentioned under this Part of this Act commits an offence.
(2) A person who commits an offence under Subsection (1) of this section is liable on conviction to imprisonment for a term of fourteen years.

The Child’s 4 Baskets of Rights are further Broken Down as Follows:

- Provisions of freedom from discrimination on the grounds of belonging to a particular community or ethnic group, place of origin, sex, religion, the circumstances of birth,

- Disability, deprivation or political opinion; and it is stated categorically that the dignity of the child shall be respected at all times.

- No Nigerian child shall be subjected to physical, mental or emotional injury, abuse or neglect, maltreatment, torture, inhuman or degrading punishment, attacks on his/her honour or reputation. Every Nigerian child is entitled to rest, leisure and enjoyment of the best attainable state of physical, mental and spiritual health.

- Every government in Nigeria shall strive to reduce infant mortality rate, provide medical and health care, adequate nutrition and safe drinking water, hygienic and sanitized environments, combat diseases and malnutrition, support and mobilize through local and community resources, the development of primary health care for children.

- Provisions for children in need of special protection measures (mentally, physically challenged, or street children): they are protected in a manner that would enable them achieve their fullest, possible social integration, and moral development.

- Expectant and nursing mothers shall be catered for, and every parent or guardian having legal custody of a child under the age of two years shall ensure its immunization against diseases, or face judicial penalties.

- Betrothal and marriage of children are prohibited.

- Causing tattoos or marks, and female genital mutilation/cutting are made punishable offences under the Act; and so also is the exposure to pornographic materials, trafficking of children, their use of narcotic drugs, or the use of children in any criminal activities, abduction and unlawful removal or transfer from lawful custody, and employment of children as domestic helps outside their own home or family environment.

- Child abduction and forced exploitative labour (which is not of a light nature) or in an industrial undertaking are also stated to be offences. The exceptions to these provisions are where the child is employed by a family member, in work that is of an agricultural or horticultural or domestic in nature, and if such a child is not required to carry or move anything heavy that is likely to adversely affect its moral, mental, physical spiritual or social development.

- Buying, selling, hiring or otherwise dealing in children for purpose of begging, hawking, prostitution or for unlawful immoral purposes are made punishable by
long terms of imprisonment. Other offences considered grave include sexual abuse, general exploitation which is prejudicial to the welfare of the child, recruitment into the armed forces and the importation /exposure of children to harmful publications. It further preserves the continued application of all criminal law provisions securing the protection of the child whether born or unborn.

Responsibilities of Children

Sections 19 and 20 Establishes Responsibilities of ACTS 1920: We believe and agree that one of the high points of the Child’s Rights Act, 2003 is Section 19 & 20, which gives expression to the age-long truism that freedom without responsibility is the breeding ground for chaos. The Act therefore outlines certain responsibilities for the Nigerian child as follows:

- working towards the cohesion of their families
- respecting their parents and elders
- placing their physical and intellectual capabilities at the service of the State,
- contributing to the moral well-being of the society,
- strengthening social and national solidarity,
- preserving the independence and integrity of the country,
- respecting the ideals of freedom, equality, humaneness, and justice for all persons, relating with others in the spirit of tolerance, dialogue and consultation
- contributing to the best of their abilities solidarity with and unity with Africa, and the world at large.

The Mandate to Custodians of the Child: to this end, the Act mandates parents, guardians, institutions and authorities in whose care children are placed, to provide the necessary guidance, education and training to enable the children live up to these responsibilities.
Global Frustration
'International conventions on human rights for children have flatly failed to guarantee protections for the most vulnerable members of society,’ reveals the United Nations Survey

The Big Question
Why has the celebrated national and international legal framework failed woefully to protect our children from abuse?

Our Informed Answer
Having been in the forefront of Child Protection through the instrumentality of the law in the last 16 years and working with UNICEF in the last 8 years, we have come to the irresistible conclusion that the law as an independent tool of child protection is as powerless as a paper tiger. Therefore, for the law to make sense, it must be mixed with enlightenment. It is our informed position that Enlightenment is Superior to Enforcement™ of the laws relating to children and their rights. The strength of enlightenment is that it leads to prevention of child abuse. ’Prevention is better than cure.’

Enlightenment is not an end in itself. It is a means to an end. The goal of enlightenment is Child Protection Social Policing™. Child Protection Social Policing™ happens where every primary and secondary custodian within the four (4) institutions (Family, Community, State and International Community) responsible for the protection of the child are equipped with Knowledge (what to do), Skills (how to do it) and Attitude (wisdom and inner strength) to professionally and effectively protect, preserve and defend the rights of the child, even at the cost of personal discomfort.

The United Nations recently supported our position that Enlightenment is Superior to Enforcement™ as it submits, 'responding to child abuse cases is four times expensive as child protection and protecting children against violence and abuse aims at saving cost of families, communities and ultimately the state.'

Basic Child Rights Register for Effective Application

- The word, CHILDREN is an acronym broken down as follows
  - Care
  - Heritage
  - Individuality (‘Comparison changes

\[\text{The value of things.' Dan Gilbert)\]

Leadership
Delightful
Respect
Engage
Now

Â The Best-Interest-Of-The-Child Principle: The UNITED NATIONS CONVENTION ON THE RIGHTS OF THE CHILD (CRC), 1989 and CHILD’S RIGHTS ACT (CRA) enacted by the National Assembly of the Federal Republic on Nigeria 31st July, 2003. Article 3(1) of the CRC and Section 1 of the CRA jointly provide, ‘in every action concerning a child, whether undertaken by an individual, public or private body, institutions or service, court of law, or administrative or legislative authority, THE BEST-INTEREST-OF-THE-CHILD shall be the PRIMARY CONSIDERATION.

Â Needs-Based Approach vs Rights-Based Approach: We work with and for children because it is their rights to be protected. We are not doing them a favour. It is a matter of necessity that we protect them and that must be our attitude.

Â Duty Bearers(DB): these are the individuals (parents/guardians, teachers etc), state, international community and every other body, who have the responsibility to respect the rights of the people.

Â The Rights Holders(TRH): these are the individuals to who the Duty Bearers have the duty to protect their rights.

Â The 5 Basic Needs of a Child:

- Every child needs \textbf{SOMEONE} to \textbf{BELIEVE- A Role Model}
- Every child needs \textbf{SOMETHING} to \textbf{BELIEVE - Values}
- Every child needs \textbf{SOMEBWHERE} to \textbf{BELONG-Family and Community}
- Every child needs \textbf{SOMETHING} to \textbf{BECOME- Aspiration to Significance and Pursuit of Inner Potential}
- Every child needs the \textbf{AFFIRMATION} of his \textbf{FREEDOM} and \textbf{RESPONSIBILITY- A sense of dignity and self-worth}

Â Child Vulnerability: Children are not vulnerable. What we call Children Vulnerability is simply Adult’s irresponsibility.

Â The 4 Rings of Protection: namely: Family, Community, State & International Community

Â Primary Care Givers and Secondary Care Givers: under the 4 Rings of Protection, the Family constitutes the Primary Care Giver while the Community, State, International Community constitute Secondary Care Givers.

Think The CHILD…Think TODAY…Think the FUTURE…
The Family as Number 1 Priority in Child Protection: The role of the family institution as the Primary Care Giver is ordained by God. Other institutions like Community, State and International Communities exist to strengthen the family institution and not to take over its inevitable roles.

Teachers play a major role in protecting Children. The word, TEACHERS is an acronym broken down as follows:

- T-Train with your lifestyle
- E-Examine Your Motive
- A-Advance Daily in Knowledge
- C-Care with Your Heart
- H-Hear with Your Inner Ear
- E-Employ Innovation to Empower
- R-Rely on God
- S-Sent to Safe Humanity


3+1 Core Humanitarian Principles:

- Do No/Less Harm
- Humanity
- Neutrality
- Impartiality

Child Abuse: Child abuse must be defined by its impact. This is the only way to drive the message home at a glance and deter the Duty Bearer from abusing the Rights Holders. Abuse of any kind successfully at all times and every circumstance DEHUMANIZE the child. What does it mean to dehumanize? ‘Make Somebody Less Human: to make somebody less human by taking away his or her individuality, the creative and interesting aspects of his or her personality, or his or her compassion and sensitivity towards others’ (Microsoft® Encarta® 2009)

There are Four Types of Abuse/Dehumanization

- **Physical Abuse:** any physical injury done intentionally to a child. Physical abuse endangers or impairs the child’s physical or emotional health and development. Physical abuse includes shaking a very young baby, (e.g., Battered child).
- **Sexual Abuse:** is when a child (sometimes even toddlers and babies) is used sexually by someone older. This includes everything from obscene exposure to touching the genitals in a sexual way and rape, (e.g., Raped child).
- **Emotional Abuse:** includes constant yelling and threatening behaviour, scaring the child or playing games with their emotions, (e.g., abandoned child/Child affected by war and armed conflict/Trafficked child).
- **Neglect Abuse:** is when a child doesn’t have enough food, love, care and attention. He/she may have not enough to eat, injuries may be left untreated, clothes may not be warm enough, the child may be dirty and at risk of
infection, or they may be left alone, (e.g., Child deprived of basic needs/Neglected child/Street child/Abandoned child).

Â **Affected Children and Not Victims:** in the child protection circle today the word, ‘VICTIM’ has been replaced with the more child-friendly phrase, ‘AFFECTED PERSON.’ It is believed that the word, ‘VICTIM’ further stigmatises the already abused and traumatised child.
Every discussion about Child Rights/Protection must begin with YOU-The Care Giver

Why?

1. It is a major and disturbing trend in Child Protection, the world over today that children are being mostly and are likely to be mostly abused by those who claim to protect them, including their parents.

In responding to this ugly development, UNICEF has begun to train Child Protection Experts in how to safeguard the children under their care through the use of Child Protection or Child Safeguard Policy.

Since policies will be run by human beings, you and I, I think it is important we discuss YOU!

2. EVERYTHING in life produces after its own kind! Guess that is why Mahatma Ghandi said, ‘YOU must be the CHANGE YOU want to see in the world.’

‘Great advances have always come from ideas; ideas do not fall from the sky; they come from people. People write the software, design the products and start the new businesses. Every new thing that gives pleasure or productivity or convenience is the result of human ingenuity.’

Stanford University economist, Paul Romer

Once YOU are personally responsible in CHILD RIGHTS/PROTECTION, YOU create a PRECEDENT OF POSSIBILITY, YOUR PRECEDENT OF POSSIBILITY will create a CONSCIOUSNESS OF CHILD RIGHTS /PROTECTION among your observers and a CONSCIOUSNESS OF CHILD RIGHTS PROTECTION will produce MANIFESTATION OR IMPACT ....

NOTE THIS: Nothing Changes around YOU, until YOU CHANGE

How do Become Conscious?

YOU must make it a point of duty to find yourself...

Robb Thompson says, ‘You are either a prisoner of your past or a pioneer of your future.’

For embark on this journey of self-discovery, I strongly advise that YOU Take RESPONSIBILITY to take the following 5 steps:

- **Accept and love yourself that you are and know**: If you do not love yourself that you are, you will never love yourself that you hope to be become. Love is NOW.
- **Identify positive and negative impact of your upbringing**: do not live in denial. Open your heart, face your past and decide to identify positive and negative experiences.

- Identify the requirement for healing
  - Desire: Motivation for healing
  - Knowledge: What to do
  - Skill: How to do it
- Subscribe to the healing process
- Submit to the healing process

Epilogue

Dear LORD,
Is there a CHILD YOU want to save today?
I mean a CHILD YOU want to lift.
Is there a CHILD you want to befriend?
I mean a CHILD YOU want to love.
Is there a CHILD YOU want to protect and perfect.
I mean a CHILD YOU want to honour.
Is there a CHILD YOU want to send an angel to?
I mean a CHILD YOU want to help.
Is there a CHILD YOU want to give direction by YOUR SPIRIT?
I mean a CHILD YOU want to comfort.
Is there a CHILD YOU want to visit?
I mean a CHILD, whose story YOU want to change forever.

Yes, dear LORD,
I know there is a CHILD YOU want to reach;
I mean a CHILD YOU want to reveal YOURSELF to in the FLESH,
As a FATHER, who daily and generously LOADS
His CHILDREN with BENEFITS and TREASURES.

So, here I am dear LORD,
Made in YOUR IMAGE and LIKENESS,
Don’t look too far.
SEND me,
I am GOOD TO GO,
I mean I am LOADED TO GO.
I am a BLESSING,
A JOY of MANY GENERATIONS
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To dream the impossible dream
To fight the unbeatable foe
To bear with unbearable sorrow
To run where the brave dare not go
To right the unrightable wrong
To love pure and chaste from afar
To try when your arms are too weary
To reach the unreachable star

This is my quest
To follow that star
No matter how hopeless
No matter how far

To fight for the right
Without question or pause
To be willing to march into Hell
For a heavenly cause.

And I know if I’ll only be true
To this glorious quest
That my heart will lie peaceful and calm
When I’m laid to my rest.
And the world will be better for this
That one man, scorned and covered with scars
Still strove with his last ounce of courage
To reach the unreachable star.

- Mitch Leigh