

# The Rights of the Girl-Child in the Empowerment Question and National Development

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## Abstract

This paper seeks to examine the gender specific challenges faced by the girl-child, despite landmark legislations. And identify the cultural and traditional gender biases reflected in societal law and practices. The paper highlighted the premium value placed on child preferences and analysed cultural beliefs which hinder her access to education. It aims at contributing knowledge and creating awareness about the deep rooted discriminatory challenges confronting the girl child. The study recommends gender specific policies to emancipate, develop and empower the girl-child for national development.

**Keywords:** Rights, Girl-Child, Culture, Education, Empowerment, Development, Discrimination

## INTRODUCTION

Precisely eleven years ago, the Government of Nigeria adopted the “Child Rights Act (CRA)” as a means of developing national – level principles to adhere to the UN convention on the rights of the child. And the AU charter on the Rights and Welfare of the children (UNICEF, 2007a). In line with international Law, the 2003 CRA defines “Childhood” as being under the age of 18, and establishes both the “rights” and “duties” of Nigerian children, including specialized language to reflect the particular risks and the vulnerabilities that are relevant to the Nigerian context (UNICEF 2007a)

The existing policy thrust and the policy implementation process in Nigeria are not favourable to the best interest of the child in the fulfillment of their rights. A cursory appraisal of the situation of women and children shows that little progress has been made with regard to protection of the rights of children.

Despite the high level policy commitment by the governments at national, state and local levels, this landmark legislative achievement has not translated to improved legal regime in the federation, in line with Nigeria’s constitutional democracy and federalism, the Act must be individually passed by each of the 36 states of the federation in line with the provision that states have constitutional supremacy for subjects within their legislative competence (1999 constitution of Nigeria).

As at 2012, the CRA has been domesticated by 25 out of 36 states in Nigeria (Save the children, 2013). Despite the significant progress made in legal and policy reform since 2003, there is still a yawning gap due to poor enforcement. The complex socio-economic and cultural environment in Nigeria and the resilience of harmful traditional practices are a great challenge to implementation of laws and policies. The implication of this is that none the progress and far reaching rights affordable children under CRA cannot be enforced in our courts, thus making Nigerian children more at risk and vulnerable.

Child abuse in Nigeria however, has continued unabated despite efforts of governments, NGOs and other stakeholders to protect and promote the rights of children. The girl-child has been the most brunt of this rights denial.

## CONCEPTUAL CLARIFICATIONS

### CHILD

The word “child” has different meanings in different contexts. Salvan and Narang (2007) say a child is a person who has not attained maturity. A child is a person who is not yet independent and depends on parents or guardians for survival, protection and sustenance.

Contextually, the Nigerian child is a person that cannot cater for him or herself. Maturity age in Nigeria is usually put at 18 years, (Nnandi 2014). A child who attempts to express himself is labelled as a stubborn child, as children are to be seen and not heard. The rights and privileges enjoyed by the child are determined by adult folk. The child receives and carries instructions as directed by adults without questioning.

### CULTURE

Culture influences a people’s thoughts, beliefs, values and traditional norms, and becomes a reference point for defining what is acceptable and unacceptable behaviours in a given society. In most African societies, men are

perceived to be masculine, aggressive and strong. While women are gentle, weak, feminine and soft spoken. These social attributes of the female gender ensures that she is confined within the home and remains voiceless. She is only to be seen and not heard. She is relegated to the kitchen because culture sees her roles as such.

The cultural discrimination of women and girls starts from birth with the preference of male children (boys) over female children (girls). In fact, in most African societies, a woman who gave birth to only female children is regarded as having a bad omen, and in some cases, was sent back to her parents. Thus cultural discrimination and relegation of women to the backseat in most African societies starts from the family at birth and places women in a perpetual position of irrelevance, and non-participation in most sphere of the society.

Nwoke (2004), in her study of three minority ethnic groups in Nigeria, discovered great gender role inequality which has its origin in their value system before the advent of Christianity and modernity. The three groups see education of the girl child as useless venture and that the place of the girl should be in the kitchen or be turned into factory that manufactures children. In one of the ethnic groups, the girl child is used as a haggling object, in the sense that after marriage and she did not give birth to children, irrespective of whose fault it is, she is returned to her fathers' house and the bride price demanded to enable the man (her husband) get married to another woman. This is attributed to the power dominant in men.

### **CHILD RIGHTS**

The concept that children have specific rights deserving of enforcement dates back to 1924 with the Geneva declaration on the rights of the child, which stated in its preamble that;

*“Mankind owes to the child the best that it has to give.”*

and went on to define the duties of adults towards children. Child rights refers to all activities which the law permits a child to do. Child rights can be referred to as a natural due, moral claim and legal entitlement.

### **PROFILE OF THE GIRL CHILD**

According to Ogbenyi, (1999)

*“The Girl-child is a female, human being, then a daughter  
Who eventually would grow into a woman.”*

The emphasis here is her categorization as a female, which seem to imply that she is different from her male counterpart. This difference is further reinforced by her biological make up and the natural responsibilities this bestows on her.

It would be important to conceptualize who the girl-child is, in order to further deepen our focus on this paper, what her rights, potentials and work in society should be. It is only after this has been done that we would examine adequately the profile of the girl-child. The girl-child has been variously described as a young female person, a daughter and above all a mother.

The Nigerian society is basically patriarchal, therefore, the ideology of male superiority to dominance of females is generally an accepted act. This gender apartheid starts right from birth. It is true that in almost all societies in African particularly Nigeria, the reception for a male is more hilarious than the reception given to a female child.

Similarly, where she is grudgingly accepted, the girl-child is trained to feel inferior to the boy-child. She receives less attention on matters relating to her existence as a human being, independence and self actualization (Ogbuagu 1994)

The high premium placed on the value and worth of male children is culturally determined. It is a general belief that the girl-child will eventually change her name and move out of the lineage at marriage. The training of a girl-child is seen as a waste of valuable resources. This is what informs the neglect of the girl-child, her education and other rights.

### **THE ROLE OF THE SOCIETY ON THE GIRL-CHILD DEVELOPMENT**

Girls the world over suffer sex-engendered denial and discrimination in aspects of life, perhaps the most damaging is the denial to the right and opportunity to education (UNICEF, 1996). There are numerous socio-

economic gains which accrue to the individual girl, her family as a result of her education. (UNICEF, 1996) noted that it is lack of access to education which keeps girls and women “not only at the bottom of the social power structure but may perceive themselves and their future roles as sex objects, subservient to men and traditional roles”.

The World Bank (1986) cost-benefit analysis indicated, investment in the education of girls had the highest rate of return of any possible type of investment in developing nations. Such benefits include reduced infant mortality and fertility rates, greater economic productivity, improved family and child nutrition, better resource utilization, etc.

However, due to societal discriminatory stereotypes against the girl-child, reinforced by cultural and religious beliefs, the girl-child at most times unconsciously esteems herself low compared to her male counterpart (boys).

UNESCO (1997) notes that female children in households help with housework. This includes fetching fuel, water, looking after younger siblings and helping in home-based income generating activities. They also cultivate the land and market the products. It further notes that traditional belief and cultural practices place bulk of the burden on girls.

The Nigerian Television Authority on the 8<sup>th</sup> of September, 1999 at a workshop in Sokoto noted that the social expedition of the girl-child in the family and her role in taking care of the home (domestic chores) and income generation activities hamper her educational development and infringe on her rights.

#### **FUNDAMENTAL HUMAN RIGHTS OF THE NIGERIAN CHILD**

The Fundamental Human Rights of the child includes;

1. Right to survival, development and participation
2. Right to a Name, family and nationality (identify)
3. Right to good health
4. Right to compulsory qualitative education
5. Right leisure, recreation and cultural activities
6. Right to Parental care, protection and maintenance
7. Freedom from discrimination
8. Right to dignity
9. Right of an unborn child to protection against harm
10. Right to privacy
11. Right to communicate (expression)

No violence against children is justifiable; all violence against children are preventable (Udoh 2014). A child rights-based approach to child care requires a paradigm shift towards respecting and promoting the human dignity and the physical and psychological integrity of children. Children are rights-bearing individuals that should not be perceived as ‘victims’. The concept of dignity requires that every child is recognized, respected, and protected as a rights holder and as a unique and valuable human being with an individual personality (UNICEF 1989)

#### **RIGHTS OF THE GIRL-CHILD**

The girl-child is entitled to enjoyment of rights of the special target groups which include women, physically challenged persons, people displaced by war or conflicts (refugees and internally displaced persons – IDPs).

The right of the girl-child could be derived from the fundamental Human rights adopted by United Nations Center for Human Rights (UNCHR) which Nigeria is a signatory to. The 1999 constitution as amended also has provisions for the fundamental rights of all citizens including children. The rights are contained in section 39 – 49 of the constitution. These rights known as fundamental human rights are not restricted to adults alone but to all citizens irrespective of a person’s age, sex, status, religion or race.

The girl-child has specific vulnerabilities and unique potentials that are different from boys, men and women, given her reproductive position which calls for special protection. But in most cultures in Africa especially Nigeria, the girl-child is denied the rights to;

- Survival and development
- Good Health/Reproduction

- Inheritance Rights
- Equal opportunities and discrimination
- Qualitative Education

Rather, the girl-child is faced with obstacles that inhibit her drive to self actualization, which leaves her at the bottom of the social ladder.

Recently in Nigeria's Kano City on Wednesday (July 30), a ten year old female suicide bomber was arrested by the police, the fourth time Boko Haram Islamists were suspected of using young female attackers.

This recent trend in the on-going terrorist attacks is generally thought to be symptomatic of several deep rooted cultural and social practices that shape the perception of the girl-child. It is for this reason that an examination and discourse on the rights of the girl child is timely and appropriate.

### **OBSTACLES TO RIGHTS OF THE GIRL CHILD IN NIGERIA**

Though the Child Rights Act provides for the protection of Nigerian Children, there are aspects of the traditional and unwritten norms of our society that tend to put children especially the girl-child in a disadvantaged position. Owori and Ker (1998) attest that;

*“In almost all cultures and sub-cultures in the Country, There is a perpetual domination of men over women. Families place greater emphasis on education of male rather than female children and when the economic forces come to play, girls are used for economic ventures to facilitate payment for education of male.”*

The cultural context of the girl-child discrimination, marginalization and oppression is further energised by religious practices and beliefs. Purdah practice for example, emphasises the dependence of women on men, which further promotes the denial of girl-child rights.

Both the Holy Bible and Holy Quran endorse male superiority over the female. The Bible emphasizes the submission of women to men. Islam seems to generate the same perception of women. Although opinions on the actual place of women in Muslim societies vary, it is a fact that such practices like early marriage and purdah practices affect Girl-child and women education generally and consequently, the domination of the most disadvantaged species, the women (Mernessi, 1976)

The recent abduction of 279 School girls in Chibok (14 April, 2014), a town in Borno state, North Eastern Nigeria by Boko Haram insurgent sect with ideology that is opposed to Western education, which the group says is aimed at creating a strict Islamic state in mainly Muslim North is a good example (Channelnewsasia). Most prominent Jihad websites have posted messages that condemn the Nigeria group's tactics. The abduction is a violation of the girl's fundamental right to education and have further dampened the morale of parents to send their children/wards to school while heightening fears of pupils to access formal education (Idayat, 2014)

Malala (2013), advocates education for all girls, as she urges that;

*“Education is our right, I said. Just as it is our right to sing. Islam has given us this right and says every girl and boy should go to School. The Quran says we should seek knowledge, study hard and learn the mysteries of our world.”*

The girl-child is perpetually faced with the challenges of rape, forced/early child marriages, betrothals, harmful traditional practices, (female genital cutting), child prostitution, trafficking, forced labour, Vesico-Vagina Fistula (VVF), sexual abuse (incest) exploitation, acid bath, e.t.c.

Access to qualitative health care services are a mirage. Girls are faced with HIV/AIDS pandemic for lack of enlightenment and communication services available to them. Denial of education which is central to empowerment and development is farfetched.

### **ADVANTAGES OF EDUCATION FOR THE GIRL-CHILD**

Education which is the process of acquiring knowledge, skills and aptitude which will enable a person to be

useful to himself and the society which is a key variable to developing the girl-child is being denied her in most African societies particularly Nigeria. The National Policy on education (2004) indicates that every child should have the right to free, sound and compulsory education at the primary school and first three years in the junior secondary school. It is against this background that this paper spotlights the education of the girl-child as a critical variable in the mainstream of national development efforts.

The girl-child education is crucial to the woman empowerment issue in the sense that it prepares the woman for the challenges of the new social system. It arms her with the necessary awareness skills and mental capacity to confront these emerging challenges (Okpeh, 2003)

According to the words of a renowned Ghanaian educationist, Dr. James kwegyin Aggrey notes that;

*“if you educate a man you educate an individual  
But if you educate a woman you educate a nation”*

Similarly, girl-child education has the potential of narrowing the social, economic and political gap between male and female is wider in the Nigerian society. This is so because of the present gap between literate men and women is determined by attitudes of most families to Girl-child education. It should be noted that the, more educated females we have in the society, the better our desire to achieve a meaningful development. (Zoellick, 2011) rightly submits that;

*“... investment in women yield larger economic  
and social returns.”*

Investing in girl-child education is therefore, one of the most effective ways to reduce poverty and yield benefits.

Girl-child education is also important to the women empowerment process because, it is a catalyst to changes in the attitude of women generally to education. Particularly, to outdated attitudes they inculcated from gender biased social values of female inferiority to men. The long term implications of this is that, it would facilitate the creation of a positive female, who sees her biological makeup not as a curse, but as a potential blessing and advantage that is vital to general human progress.

The advantages of Girl-child education to the empowerment question are too numerous to mention. Indeed, it remains the surest way to achieving the goal. Girl-child education is fundamental to the attempts already being made to integrate the woman, by giving her a sense of belonging, a partner with basic rights of participation in the development process.

According to Machel, cited in (Olade 2014.73)

*“the empowerment of women is not only development  
issue; it is very much an economic issue. That institution  
are happening globally and take steps to make certain  
that they are participating in the next emerging market,  
will reap economic benefits of their investment. But it is  
shocking that sometimes our common future is being  
reshaped and re-designed without the participation of  
this humanity”*

She further urges that women must be seen and heard in a positive manner that will bring sustainable development. She emphasizes that women in the media should use their tools to fight for children's rights, end child marriages and ensure that the girl-child has access to education.

The alternative to this is to continue to stagnate in the doldrums of under development, poverty, ignorance, and disease. Bent, (2014) contends;

*“Girls and young women must be allowed to go to  
School without fear of violence and unjust treatment, so  
that they can play their rights to live free from intimidation,  
persecution and all other form of discrimination.*

Education is central to the effort to help girls become equal partners in decision-making. Without education, girls are disenfranchised, disempowered and denied their rightful place. But with education, girls can flourish and grow to contribute to the advancement of society as a whole.

### **SITUATION ANALYSES OF GIRL-CHILD ENROLMENT IN SCHOOLS**

Recently, the literacy rate in Nigeria was put at 61.3%- males having 72.1% and the females only 50.4%. Out of this, the adult literacy rate for males is 31.0%, while that for females is drastically low at 15.4%. Unfortunately, majority of Nigerian illiterate population are based in the northern part of the country. There is little or no doubt that majority of these illiterates are females (Tolulope 2013).

It is a fact that there is higher level of girls' enrolment in schools and higher number of learned women from the south than in the north as that could be authenticated if one looks at our institutions of learning and places of work where the women of southern extraction are engaged in different careers.

Of the states in the north, Zamfara, Katsina, Kebbi, Sokoto, Jigawa, Bauchi, Adamawa and Borno are said to have more illiterate women than the rest.

This development led to series of campaigns, enlightenments and clarion calls on the need for girl child education in the north over the years so as to balance the equation. The question here is, has the region really recorded significant improvements and progress in that regard now?

According to Dabo (2014), some 76,300 girls are out of School in Bauchi State. He states that the figure was collated from 466 communities in the state between March and April, 2014, with technical support from UNICEF. This figure shows that there is still a lot of work to be done to improve on the situation if girls must be properly and adequately educated.

Dabo (2014) further states that;

“if we want to successfully fight poverty in our communities, we must ensure that our girls who are among the most vulnerable in every community are properly and adequately educated. With education, employment opportunities will be broadened, income levels increased and maternal and child health will also be improved”

### **CONCLUSION:**

Those most central to girls rights are often unaware of the implication of discrimination against girls. Parents, the community and religious leaders have a crucial role to play in leading the way for girls, as advocates for their rights.

Girl-child education was identified in this paper as an important variable in the empowerment of women. Arising fundamentally, from the fact that she is tomorrow's woman, the bridge between today and tomorrow. Girl-child's right to exist as a human being must be protected; her right to be educated must be ensured if we need to have a resourceful and productive society.

Nigeria like all other governments that participated at the Beijing Conference in September, 1995, declared for the full implementation of human rights and fundamental freedoms, therefore, the demand for Girl-child education is thus a right not a privilege; it is a demand for social Justice.

Koffi Anna (2005) attests that;

“Empowerment of Women is the most effective Development tool..... Promoting gender equality is not only Women's responsibility, it is the respondent of all of us”

### **RECOMMENDATION(s)**

The Girl-child is bedeviled by many challenges one of which is lack of access to education which tend to hinder her empowerment and development, consequently, hindering her meaningful contributions to national development. It is against this background that this paper makes the following recommendations;

- Government should make concert efforts to improve girl-child education, it should go beyond rhetoric and involve policies and programmes with measurable results.
- Government should put in extra efforts to ensure education is more accessible to low income families,



with special attention on the quality of education.

- There is a yawning need for establishment of gender – based development initiatives which stress young women’s entrepreneurship.
- Adolescents (girls and boys) should be taught market relevant skills, including financial education and career guidance, to enable them function economically.
- Scholarships should be offered to girls to ease their education plans, more emphasis should be laid on promotion of girl’s rights which should be introduced at all levels of education.

United Nations Education, scientific and cultural organization (UNESCO) through her numerous committees have these recommendations that Nigeria governments – Federal, States and Local can adapt to finance education.

1. The Dakar framework recommended that at least 20% of the national budget of the Gross Domestic Product (GDP) should be spent on education.
2. In its 1996 report “Learning the treasure within” (Delor et al), UNESCO suggested that governments should invest at least 6% of their gross national product (GDP) in education.
3. In 2002, Education for all set up the Fast Track initiative which recommended that Government should spend 20% of their national budget on Education.
4. The world Education forum (26 – 28 April 2000, Dakar); Government should ensure that at least 7% of GDP is allocated to education within five years and 9% within ten years.

As at 2012, Nigeria has allocated only 8.42% of national budget to education, which is far below UNESCO recommendation.

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