

**A MORAL QUEST FOR CHILD ABUSE
IN NIGERIA:**

AN EXERCISE IN PHILOSOPHY

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JUNE, 2010.

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TETFUND/THESIS DIGITIZATION/2019-22

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BY

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**AN ESSAY SUBMITTED TO THE DEPARTMENT OF
PHILOSOPHY AND RELIGIOUS STUDIES, ADEKUNLE
AJASIN UNIVERSITY AKUNGBA AKOKO ONDO STATE
NIGERIA, IN PARTIAL FULFILLMENT OF THE
REQUIREMENTS FOR THE AWARD OF BACHELOR OF
ARTS, B.A (HONS) PHILOSOPHY.**

JUNE, 2010

CERTIFICATION

I certify that this long essay was carried out by **OLANIYAN OLAKUNLE OLANIYI** with Matriculation Number: **060105027** of the Department of Philosophy, Adekunle Ajasin University, Akungba Akoko, Ondo State.

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DEDICATION

This work is dedicated to Almighty God and my parents. Who have been my greatest helper and supporter.

ACKNOWLEDGEMENT

I show my great sense of appreciation to the Alpha and Omega of my Life, the One who saw the great man that I can be and gave me a chance (ALMIGHTY GOD).

I am also grateful to my supervisor Mr. Segun Taiwo who has been of tremendous help to me during the course of my writing this essay. Thank you for not just being a supervisor but also a mentor. I appreciate all my lecturers, Prof. Segun Ogungbemi, Prof. Ade Ali, Dr B.M. Akinnawonu, Dr. (Mrs.) I.O. Adadevoh, Mr. S.A. Laleye, Mr. Itanrin, S.L.D, Hon O.F.O Bolarinwa (staff adviser), Mr. Jinadu, Mr. Layi. God Bless you all for your numerous contributions.

I must not forget my beloved parents; late Mr. E.A. Olaniyan and my mother Mrs. E.A Olaniyan. I love you very much for being there for me. I cannot forget your love and support towards making this dream a reality. Only God can pay you back.

My special regards, goes to my siblings; Bro Olaposi, Bro Olayemi, Sis Yetunde, Sis. Aina, Sis. Bose, and the baby of the house Oladayo Olaniyan. You are all wonderful people, I cannot but be grateful to you all because without you there would be no me. Love you all.

I thank all my friends who have made this school a home away from home; Ronke, Frank, Sly, Mathoe, Olubanke, Yemi, Odun, Bose, Alex, Demola, Mr. Richard, Pastor Peter, Paul tallest . It is true that friends will come and go, good friends will leave but a dear friend cannot be forgotten. I love you all. To all winners campus fellowship members and to all members of Living Faith Church Akungba Akoko. I love you with the love of Christ till we meet again.

I appreciate all authors whose ideas I borrowed in the course of writing this long essay, more grease to your elbow.

Olaniyi Olakunle. O

June, 2010

ABSTRACT

This essay philosophically investigated the moral implication of child abuse in Nigeria. Child abuse practices have become an issue to be reckoned with in our society today, it is one of the predominant social problems which need a quick attention so as to protect the future of our youth in this generation.

In reaction to this, this essay aimed at examining the causes and the moral implications as well as, its effect on Nigeria. Not only that, but the essay also emphasized the need to provide a lasting solution using Immanuel Kant's "categorical imperative" as a yard stick in analyzing the problem of child abuse on the Nigerian society.

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CHAPTER ONE

1.0 INTRODUCTION

To begin with, human society is a complex environment where one can find different level of social activities by which a society develops and operates simultaneously although this society still faces certain difficulties in the area of human development in one way or the other. One of the major problem that is responsible for the setback in the development of human society is “child abuse” but at this juncture the question to be asked is who is a child?, what is a child abuse?, and at what stage of human development is a person referred to as a child? Furthermore, “A child is defined by the Convention on the Rights of the Child (CRC) as every human being below the age of 18 years.¹ The national child welfare conceptualized a child to be anybody who is 12 years old or below. While a child according to the Nigerian law, is any person who has not attained the age of fourteen years.

The African Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN) defines child abuse as the intentional, unintentional or well intention acts that endanger the physical, emotional, moral and the educational welfare of the child. These acts are those morally unacceptable to the community that may endanger the well being of the child.²

According to, “Cook and Bowles, child abuse and neglect consist of acts of commission or omission which interferes with the chance of the children developing to their normal potential.³

The term child abuse is not a current issue as far as Nigeria is concerned. Globally it is one major phenomena that has over the year been attracting the

attention of the various government in the world. The international humanitarian organizations are not left out in this, and NGOs.

In Nigeria it is just becoming a critical issues to be reckoned with in our society. In the past child a being abused does not know when or how he/she is being abused. The social workers are those who have really come out with these findings that some of our children are being deprived of their right to life, survival and education. The conception of child abuse is therefore important for the appreciation of the problem of abused children in Nigeria. This is so because, very few people can differentiate between child and child abuse. "The conception of the right of the child specifies that the minimum standards for well-being of children ranging from the most basic right of survival⁴ to the right of their growth into full potential.

A child of any age, sex, religion e.t.c. can fall victim of abuse, if the parents fail to see the children as a means to an ends, in themselves but used them in carrying out various domestic activities at home, hawking goods in the streets and highways and also to render services that are too heavy for their age, which can cause bone deformation and also cause alienation in terms of making these children think that it is the best the nature can give to them or how far they could go in life. There are many factors that may contribute to the occurrence of child abuse and neglect, parents may be more likely to maltreat their children if they abuse drugs or alcohol and at the same time going through mental and emotional disorder. Emotional abuse could come from either immediate family or extended family and those of the same area, school and church e.t.c.

Furthermore,

The notion of child abuse in Nigeria has remained a neglected topic partly because of the often romantized notion that child abuse and neglect could not exist in Africa unfortunately, this argument is not grounded, in fact, the argument is partially based on erroneous notion that African society is based on the extended family system where child abuse could not likely occur. Another reason for this neglect could be due to greater emphasis which is usually placed on the seemingly more urgent problem of nutrition and infection which affects the African children⁵

Besides, even when it is occasionally discovered it is tended to be blamed on urbanization and this, "could encourage parents propensity towards child abuse and neglect."⁶ "evidence now shows that, some cultural practices in Nigeria could be referred to as child battery⁷ an example of such practice are female circumcision and malnutrition e.t.c.

However, the moral implication of child abuse is of different dimension such as dehumanization, poverty, poor health care, malnutrition, torture, psychological trauma etc. Moreso, there is no denying the fact that the child who is a victim of abuse by rape or modernized slavery would be affected psychologically. The humiliating and dehumanizing treatments they are subjected to will definitely leave some indelible marks on their mind. They would be severely traumatized resulting in low self-concept, poor-self esteem and poor interpersonal skills which suppose to enhance their chances of becoming fully functioning members of society. Also, the social problem resulting from illiteracy and poor orientation and socialization leads into hunger and poverty. It is poverty that has pushed some parents into trading their children. Though it is not justifiable, but it shows the level of contempt with which we hold human life especially those of our children who are vulnerable because of their inherent powerlessness.

This study however sets to expose the activities of child abuse in Nigeria and its moral implication through Immanuel Kant's categorical imperative" theory. The reason for adopting this theory is to enable us underline some of the fundamental basis behind these scenarios explicitly and implicitly.

1.1 THE GENEALOGY OF CHILD ABUSE

To start with, the notion of the child abuse or subject matter did not "command much attention until the pioneering work of Kempe and his associates in 1962. Citizen began to set-up agencies to deal with child abuse in the society⁸

Historically, we cannot state the particular period when child abuse started because it was not documented. But, the issue of child abuse is not a current issue as far as Nigeria is concerned. The reason being that, this social problem has been dwelling with us. "A closer examination of the Nigerian tradition and cultural practice would reveal extensive examples of child abuse and neglect.⁹ The practice of killing babies has been observed in Nigeria. Talbot, for example has "observed in Nigeria the killing of twins among the Kalabaris of southern Nigeria¹⁰ "the early missionaries eventually put a stop to the practice.¹¹ Nigerian traditional farmers and traders, are known for their trade and travel in West and Central Africa.

In the Northern Nigeria, close ties with the Arab world witnessed people moving freely to and fro the middle-east for trade and religious pilgrimages. This had created avenues for migration that had begun to be exploited for international trafficking in woman and children for labour and prostitution.¹²

In the recent era however, due to the problem of bad leadership, corruption and low ebb of economy in some way worsened the situation.

This in turn led to an increase in social tension, inter-ethnic clashes, a deterioration of basic service, juvenile delinquency, child abuse, child neglect and unemployment the proportion of the population living in extreme poverty, a group described as the core poor rose from 6 percent in 1980 to 29 percent by 1996¹³

With the alteration of society by rapid socio-economic, development the increase in child bearing and the collapse of extended family has led to these abnormal interaction of the child, parents/guardians and the society. Thus, many parents find it difficult to meet the needs of their child and as a result engaged in hard labour.

Since, rural areas were hardest hit, mass migration swelled the population of major cities. As the circle continued parents and families began to take greater risk in an attempt to escape poverty and improve standard of living. Accepted practices such as placing and fostering children in the homes of relatives, were turned into money making venture for parents and the phenomena for cheap labour through child trafficking escalated driving large number of children in the street to work. The working condition were hazardous and exploitative especially for those engaged in commercial sex.¹⁴

1.2 TYPES OF CHILD ABUSE

This segment examines the abusive and humiliating nature of the child in relations to the setback it has inflicted on the socio-economic activities of Nigerian society. But, the fundamental question to be asked is, why is child abuse on the increase in Nigeria? Who are the masterminds of this child abuse? What are the methods employed to have their victims? What are the inhuman and unjust

conditions victims subjected to? These questions are germane or relevant in discussing the child abuse practices in Nigeria.

CHILD LABOUR

The change of the society by rapid socio-economic changes, the increase in child bearing and the collapse of extended family has led to the unusual relationship of the child, parents/guidance's and the society thus, many parents find it difficult to meet with the need of their child and as a result they engaged in hard labour.

The incidence of child labour in this region continues to remain the highest for any continent, where 49 million children are found to be economically active ILO, 2006. as for Nigeria the focus of our study and the most populous in Africa with 139 million individuals, it is pertinent to mention that there exist a high incidence of child labour rates within the country Bass say; the world bank 2006, the most recent data indicates that about 26 percent of children aged 10-14 years in Nigeria are engage in economic activities in economic activity.¹⁵

Hence, the magnitude of children's labour force participation in Nigeria serve as compelling reason to investigate the consequences of child labour for children's social and human capital development. Child work should be distinguished from child labour, by child work we mean:

Work in which, the primary emphasis is on learning, training or socialization as such the work schedule is flexible, tend to be responsive to the developing capacity of child and encourages his or her participation in appropriate aspects of decision making process. By child labour we mean work that is essentially exploitative and injurious to the physical, social, cognitive and moral development of a child.¹⁶

However, child labour occurs when children who are suppose to be in school are being exposed to long hours work in a dangerous or unhealthy environment with too much responsibility for their age. The CRC focuses on child labour.

Article (32) states that which recognizes the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child education or to be harmful to the child health or physical, mental, spiritual, moral or social development¹⁷

The three categories of work in which these children are in the public place such as market and the streets in cottage industries, mechanical workshops and domestic service. Below is the case of Obiageli:

Obiageli Njoku a 10 years old girl who was taken away from her parent in the village to Enugu with the promise of enrolling her in school at Enugu. Obiageli never got enrolled in any school. She was constantly beaten by her madam and on one occasion her madam used a hot knife to scratch her mouth. Her reason for doing this was because little Obiageli ate a left over rice eaten by the madam's husband, Obiageli had not been given permission to eat the rice and as such deserved hot knife across her mouth. ANPPCAN intervened and returned the little girl back to her parents.¹⁸

This scenario or case given above was the most horrific and worst example of man's inhumanity against man. But, how can conscience which is divine support those activities that are incompatible with moral reason. Situation like this make one to wonder whether if children are gifts from the Lord or a cause.

CHILD BEGGING

Child begging can be regarded as a form of child labour. There are two kinds of street children found in Nigeria, those who live and work on the street and those who guide or lead physically challenged adult. In the northern cities "Almajiries" are found in almost all nooks and crannies as the Koranic Education permits Islamic tutors to send their pupils to beg on the street.

In the East, children of eight or nine years of age are found on the street in trading activities, work as vendors or hawkers and head loaders. The poser is, is there no government programme or policies in place that sees into the protection and welfare of the street children in Nigeria? Has there not been any roles government and the civil societies played? If there is, what are these roles?

Campaigns by civil society organization and other groups such as ILO and UNICEF within the society so far appear to be yielding only minimal result these efforts are further being frustrated by low literacy level and the object poverty in the society.¹⁹

Government on its own part has done little to tackle the problem of child begging or its underlying causes. A child right has to be protected because they are leaders of tomorrow. Article 27, of the convention right of children stipulates that children have the rights to a standard of living adequate for their mental spiritual, physical and social development. Thus, it is the duty and responsibility of the government, parent and society to plan the future of our younger generation, failure to do this has its moral implications such as thuggery, theft and vandalism etc.

DOMESTIC HELP AND SERVANT

The Oxford Advance Learner Dictionary defines domestic help "as servant who works in somebody's house, doing cleaning and other jobs"²⁰ while a servant is referred to as a person who serves someone.

Slave trade was defined in article 1 of the 1926 Slavery Convention as including "All acts involved in the capture, acquisition or disposal of a person with the intent to reduce him to slavery"²¹ the under-lying point of slavery, slave trade and servitude, as distinct from forced or compulsory labour is that, they are forbidden irrespective of their consent of the person concerned whether his or her relatives. In the last decade, the Nigeria nation and people have witnessed a steady deterioration in its social, political and economic affairs this steady decline has caused many problem.

These had paved way for traffickers and criminal rings who had used the opportunity of the crack in the Nigerian social fabric and moral decadence to exploit the desperate and ignorance parents. Particularly, in the rural areas, to produce for commercial trafficking, these trafficking racketeers have assumed alarming proportions channeling huge numbers of these children to the employment market of the major towns where there is a growing trade for this so-called business including the international traffickers who transport some of these children to some neighbouring African countries in exchange for hard currencies. They are also imported from neighbouring West African countries into Nigeria and sold into bonded labour. But within Nigeria, "Roland Ogbonnaya stated that, the increasing rate of child trafficking in south east of Nigeria requires urgent attention particularly in Abia state."²² The "UNICEF factsheet, indicated that

under the age of 21 years as a minor but, allows minors to marry with parental consent²⁶

In some parts of Nigeria, little consideration is given to girls physical, psychological and emotional preparedness for marriage as section 5.4 has discussed many girls are given away in marriage in their early to mid-teens. Their consent is hardly sought and bride price is imposed, as if a commodity were being brought and sold²⁷

In the light of the above, the question to be asked is, are these girls or children given in marriage, human being? If they are, then their personality must be treated with care and respect. This, Kant moral law demands it from each and every one of us. Moreso, in the view of the existentialists that man although exist in the world with others has his own life to live and his own death to die. This shows man's uniqueness and individuality. Every man has his own life to live himself. so, the issue of choosing one life partner or who to marry should be the exclusive rights of the person involved hence, the consequences of early marriage is health problem, higher rates of maternal and infant mortality.

CHILD ABANDONMENT

Child abandonment is a state whereby, a parent either the father or mother desert his or her child. In other words, child abandonment is a situation whereby parents of a child shy away from responsibility to the child. Having said this, it is important to note here that child abandonment can be physical, educational and emotional but we shall be limiting this discussion within the amplit of the physical abandonment and these include not providing for food, clothing, medical care and supervision.

For some decades now there had been steady increase in the issue of abandonment of the newly born babies in the public places such as market and toilets by young mothers due to stigmatization, and inability of single parent e.g. mothers to cope with their children.

Many abandoned children are product of illicit sexual relationship between teenage girls and men. These relationship are usually forced on girls as a result of exigencies of urban living dumping the new born serves as many purposes, it saves the girl from being embarrassed, it provides the opportunity for the girl to forge a new relationship with men, some with a prospect for marriage and finally, it serves as economic purpose for young mothers who have no means of supporting the children. Child dumping has been aggravated by lack of comprehensive adoption practices in Nigeria²⁸

The question is, can these so-called parents of these abandon child, be said to have conscience at all? One issue that is of great importance is that government has to provide support for the abandoned newly born babies in the public places and children in the hospital who had HIV from birth. The concern here thus is not only on the future of these children but indeed that of the country.

SEXUAL ABUSE

The inappropriate sexual behaviour with a child includes fondling a child's genitals, intercourse, incest, rape, sodomy and sexual exploitation to be considered child abuse, these acts are committed by a person responsible for the care of a child or related to the child. Omonubi observes that sexual abuse is rather rampant she wrote.

Thousands of Nigerian girl child are victims of incest and other forms of child abuse they are victims of accident and unspoken horror being raped as child by one of the men in their family²⁹

Incest remains a taboo in Nigeria as no cultural basis has been found to support the practice. The sexual abuse of children in Nigeria, is mainly a domestic issue hence such, is not made to the public or being documented. The perpetrators are people close to them. That is to say, the people living in the same house with them. For example, their uncles, master e.t.c. These issues had been swept under the carpet for long and the parents of the violated or molested children, would rather choose to settle the issue as a family matter or affairs, this is due to the psychological depression and stigma attached to such person involved by the society.

But however, what the people involved do not know is, giving it publicity, this would act as a deterrent to others who would want to engage in such a nefarious acts better skill, such case could be reported to the appropriate authorities for sanction. The ethical implication of these kinds of child abuse is, emotional neglect, this refers to the deprivation i.e. lack of caring, loving and sympathy toward people.

1.3 SOCIAL CAUSATIVE FACTORS OF CHILD ABUSE

The important of this essay is to look at the social causative factor of child abuse in Nigeria. Child abuse covers a wide range of both physical and emotional abuse of children. We shall be using the conflict theory to examine these social causative factors. The conflict theory is against child abuse and blamed the oppression by rich over the poor people to have been one of the major causes of these social problems.

Conflict theorist perceived child abuse as a result of inequity and social structure. They argued that the society is structured such that one group benefit more than the other according to marxian perspective, the rich dominated the means and the control of

production over the poor. This can be seen in relation to child abuse because children in this context are poor and exploited by the powerful. They further see element of society as a contributing factor to the version of inequality in human society for Example, the family, government, religion and other institutions of the society foster and legitimize privileges of some group at the expense of other.³⁰

The contribution of social institution such as the family unemployment poverty, religion and early marriage e.t.c are caused mainly due to alternative of society by rapid social economic and political changes. Various forms of child abuse have been identified particularly, in the urban areas for example with the globalization of the economy particularly the spread of G.S.M. The global satellite mobile by foreign investor has brought about and increase in the use of children working in the service sector of the economy as street hawkers of some of the product of various telecommunication outfit in Nigeria.

Moreso, the pressing nature of work and other cases of life cum, the general poor economic situation of the country. Many parents find it difficult to meet with the need of their child, as a result they are compelled to engage in one form of labour or the other. The question to be asked at this juncture is, is it right for a child to contribute to the sustenance of the family? If a child can, what kind of income generating activities should children do? Anybody who is from the Northern part of Nigeria is fully aware that street begging by children of school age and early marriage is a culture, but the ulterior motive for this are due to either monetary gains or for religious reason. Many poor families regard young girls as an economic burden thus see marriage as a necessary survival strategy for the family. Reason is that, marriage offers protection for their child from the danger of sexual assault and molestation. Moreso, another reason for an early marriage in the northern part of Nigeria is that, marriage is seen as a strategy to

avoid girls becoming pregnant before the marriageable age. Some clerics mislead people into believing that.

Street begging is one of the requirements in one's quest for religious Islamic knowledge. It is to the end that many parents surrender their children to nomadic Islamic teacher most of whom are not well versed in the Islamic religion to carry hundreds of these young children from place to place in the name of giving them religious knowledge³¹

This practice appeared to have been enhancing by the high level of poverty in the society and government's inability to provide the basic social amenities and funding of the educational sector.

CONTAINMENT THEORY

This theory was developed by Reckless in 1950s and 1960s. it has two reinforcing elements: an inner control system and outer control system. According to containment theorist, "it explained that the reinforcement of both external and internal controls lead to attitude like beating, neglect³² and the use of abusive words which constitutes various forms of child abuse.

While the other containment or external regulators represents the structural buffers in the person's immediate social world or environment that can hold him with bonds, they are condition associated with poverty, deprivation, conflict and discord.³³

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CHAPTER TWO

2.0 KANTIAN ETHICS

Immanuel Kant a German Philosopher, was one of the most important Philosophers of all time, he made important contributions in epistemology, metaphysic and ethics. His major work in ethics are; Metaphysics of morals, Ground works of Metaphysics of morals, Critique of practical reason.

Kantianism is term commonly used to describe his ethical view. Kant made a significant contribution to ethical theory. He arrived at discovering a general moral principle which would be absolutely universal in application and completely free from the accidental particularities of time, place or human nature. Kant's attempts was to ascertain the nature of morality and difference between a virtuous and a non virtuous man¹

To look for a solution to this problem Kant demarcated or draw a line between act done from a sense of duty and those that are products of mere inclinations. We shall be discussing it within the ambit of good will and duty, and categorical imperative.

2.1 GOODWILL AND ITS RESULT

According to Kant "nothing can possibly be conceived in the world, or even out of it, which can be called good without qualification, except a goodwill" what this implies is that, the ultimate good is the goodwill. Kant takes goodwill as a moral quality and the others like honour, health and generosity are moral qualities. He takes the goodwill as the highest: According to Kant, action performed from a goodwill are the only actions that can be morally evaluated. To act from a goodwill is to act in respect from the moral law says Kant. The good will is the good without qualification. It is the action and not the result that should

be taken into consideration. He also argued that we should not judge an act to be right when it is done with evil motive the goodwill is not good because of its adequacy to achieve some proposed end, it is good of itself only because of its willing i.e. it is good of itself.

A true moral act, moral in Kant's sense is an action carried out from a sense of duty. The moral obligation is to do what is right and acting out of respect for the moral law. The moral significance of someone's action seems to vanish if we can find out what the person was forced to act in a certain way by external law or threat. To preserve one's action is a duty that everyone has also an immediate inclination to do so. Every individual should protect his life and actions since every one's life is in conformity with duty, but from the motive of duty that is, an action should be done either from duty or from immediate inclination, but solely from purposes of self interest. The problem with this is that our feelings come and go. The demands of morality are constant. At times a moral person must do things he does not really feel like doing, thus Kant insists that morality must be based on rational principles and having said this, the question to be ask is what does a duty and inclination mean?. "A duty is what a person ought to do or obliged to do while inclination means a feeling or tendency that makes you want to do something."³

2.2 GOODWILL AND MOTIVE OF DUTY.

According to Kant, "what is really important in life and make it worth living is not happiness or pleasure but acting from a good will"⁴ in the Ground Work of the Metaphysics of Morals, he begins by saying that nothing is good without qualification or limitation but a good will. By this he meant first that a good will is the supreme or the highest good, and second, that it is good in itself that is,

good regardless of its tendency to produce result which on independent grounds indonism or otherwise may be deemed desirable. What then is the good will? Kant says that it is the rational will. Kant claims that, in humans the good will is the dutiful will, one that will for the sake of duty, the will of humans, on the other hand, is not wholly good, it is not determined solely by reason and the moral law but it is also affected by the passion and appetites and these may always prompt us to act against our duty. An action is dutiful only if it has the idea of duty as its sole motives, "Kant says that there are three kinds of action which are not done from duty and therefore not from a good will and hence lack true moral worth."⁵

- (1) Actions recognized (perceived, known) as contrary to duty...about these the question does not even arise whether they could have been done for the sake of duty is as much as they are directly opposed to it.
- (2) Action which in fact accord with duty, yet for which we have no immediate inclination, but performing them impelled us to do so by some other inclination.
- (3) Actions which accord with duty and the subject has in addition an immediate inclination (to do them).⁶

Moreover, for Kant, the motive of duty is not a rational judgment, "Kant says that one of the tasks of 'conscience' is to warn us against 'probabilism'."⁷ What concern Kant is not just that inclinations may lead to actions which are contrary to duty. Inclinations and feelings are as such not necessary opposed but alien to morality. According to Kant, I may be led to act in a certain way by the pure idea of duty and still act gladly and with pleasure and in accordance with my inclination.

Acting from duty may not be to exhibit the greatest virtue for life, but neither is it a mere turgid ritual.

2.3 CATEGORICAL IMPERATIVES.

There are, according to Kant, basically two kinds of imperative namely, a hypothetical imperative and a categorical imperative. The former represent the practical necessity of a possible action as a means to something else or to an end. For example if you want to become a philosopher then you must and practice philosophy. The moral law for him is a categorical imperatives. It applies to all men as rational beings possessing freewill. The categorical imperative implores us to perform an action without regards to the consequences or effects.

According to Kant we should build our action on the categorical imperatives which Kant regards as the supreme moral principle. Kant's criteria of universalizing maxim captures some of our everyday moral intuition. Everything in nature works in accordance with laws since reason is required in order to derive actions from laws. "if reason infallibly determines the will, then in the case of such being actions which are recognized to be objectively⁸. The conception of an objective principle so far as this principle is necessitating for a will is called imperative. Hence there is only a single categorical imperative which is act only on the maxim which "you wish the maxim of your action to become a universal law⁹. The essential character of law is universality therefore the person who acts from duty attends to the universality of his or her principle. Each individual should act on maxim that he could will to be a universal law. The following example bring home the truth of his claim that only maxim of the actions that have moral worth. Some of the example he gave was from suicide, helping others, the honest shop keeper, and that of our own happiness. But we shall give only one

example here. Kant cites an example with a man who intends committing suicide in time of distress. According to him, such man should ask himself can the maxim of my action really become a universal law of nature? But this maxim is this:

From self love I make it my principle to shorten my life if its continuance threatens more evil than it premises pleasure. The only further question to ask is whether this principle of self love can become universal law of nature. It is then seen at once that a system of nature by whose law the very some feeling whose function is to stimulate the furtherance of life should actually destroy life would contradict itself and consequently could not subsist as a system of nature hence his maxim cannot hold as a universal law of nature and this therefore entirely opposed to the supreme principle of all duty".¹⁰

The question is, can this principle of self love becomes a universal law? For Kant, the maxim of this action is not universalizable thus suicide is to be condemned because it involves inconsistency.

Kant gave a formulation of the categorical imperative thus "Act as to treat humanity whether in thine own person or in that of any other, in every case as an end with all, never as means only."¹¹ or simply put, "do to others as you would have them do unto you." This means that every individual has an intrinsic worth, that we should treat humanity with dignity. Kant explicitly claims that we should treat ourselves with respect and not merely as a means to some end. The implication of this is that we have moral duties to ourselves and not just others. That is, I should respect the dignity and worth of my own personhood and treat it as having a value that transcends every individual. If there is a categorical imperative for human will, it must form an objective principle of the will form the conception of that which is necessarily and end for every one because it is principle is rational nature exists as an end in itself.

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CHAPTER THREE

3.0 APPLICATION OF KANT'S CATEGORICAL IMPERATIVE TO CHILD ABUSE

In the principle of respect for persons, what is involved is a valuation of person that is absolute as opposed to relative or relational. We must know that we are required to regard each person as mattering absolutely, in the sense that in no circumstances can a person cease to matter.

Child abuse is dehumanizing in all its ways and by all standards. The perpetrators of this Act use the theory postulated by Niccolò Machiavelli in his book "The prince" which says that "the ends justify the means" meaning that any means, ways used or employed to achieving one's aim is justifiable once one succeeds at the ends. This theory however, supports getting Rich Quick Syndrome by any means. That is, even if human beings were to be sold like chicken and cattle it is permitted provided the "ends" which is to get money is realized.

The poser is, are human beings articles (means) or an end in themselves? This however, goes against the theory of Immanuel Kant's categorical imperative which "requires us to treat human beings (including ourselves) as ends and never only as means at all¹ that is to say, all beings or individuals deserve respect be it an adult, adolescent and a teenager even a fetus and infant. The only way respect for person can be achieved is for every individual to see himself such a way as treating humanity in kindness and love. If this is done or given to individual there will be tolerance peace and tranquility in the society at large.

3.1 EQUALITY FOR PERSON

Equality is important in all sphere of life, when there is no equality in the family, communities and the society at large, people tend to go violent, indulge in all means of immoral act and criminal activities that might result into civil disobedient. The fundamental question here is what is equality? The Oxford Advance Learners Dictionary defines equality as "the fact of being equal in right, status, advantage e.t.c."² moreso, equality can be referred to as a state of being equal in quantity, size, value, opportunity e.t.c.

There are certain principles or rights that are equal to everybody for example equality before the law, equality before god, equality to worship e.t.c. These laws or principles have their sources in the state constitution, convention, charter and the natural law or rights. But, the fact is nature itself does not endow us or everybody equal and also the society. Having said this, equality for person is guaranteed under the following sections in the 1999 constitution of the federal republic of Nigeria. Section 33(1)

Every person has a right to life and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria³.

The constitution states it clearly that, people of all ages irrespective of their age is equal before the law thus have equal right to exist. This right is violated by act of killing of children for money rituals, suicide and unjustifiable abortion.

Section 34 (a) (b) and (c) states:

Every individual is entitled to respect for the dignity of his person, and according-

- a) No person shall be subjected to torture or to inhuman or degrading treatments;
- b) No person shall be held in slavery or servitude and
- c) No person shall be required to perform forced or compulsory labour⁴

The constitution here makes us to understand that everybody is equal and since everyone is equal every individual is entitled to respect of his person. Thus, the law is against all forms of inhuman treatment by man such as slavery and forced labour. The right here is violated by any act that deprives another person of the opportunity of exercising his freedom such as slavery, servitude, colonization e.t.c.

Furthermore, section (35) (1) says, "every person shall be entitled to his personal liberty and no person shall be deprived of such liberty⁵. The constitution here guarantees the right to happiness, privacy and freedom to all and sundry. But the question is, is it the case in Nigeria? Can the Nigerian child be said to have freedom of their own? If they do have the rights of their own as it is being provided for by the constitution, do they understand their right? Are they mature to take decision that pertains to their life?

However, these rights can be violated by any action that constitutes an obstacle to the happiness of another man or that deprives another person of the opportunity of exercising his or her freedom. The recognition of the inherent dignity and of the equal and inalienable rights of all member of the human family is the foundation of freedom, justice and peace in the world. The Universal Declaration of Human Rights of 1948, Article (26) states that: "everyone has right to education. Education shall be free, at least in the elementary and fundamental stages.⁷ This rights is violated by an action, law or decree which prevent anybody (especially children) from acquiring education. Moreso, article (25) (ii) states that:

“motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social benefits”⁷ It is thus the duty of government to ensure that special right and privileges or attention are given to their welfare with all principles, the question one is forced to ask is, why does child abuse still persist or exist?, and why inequality? Child abuse exist, as a result of inequality we find around us and that is why the issue of child abuse cannot be eradicated but, can only be reduced to the nearest minimum. The second question can be answered from two aspects, the nature and the society. The former can be traced to the creation story from the book of Genesis in Bible and Koran where man was put on a higher pedestal. This has created a vacuum for gender inequality among the children or people. Naturally, some people and countries are blessed or gifted over others. This explains why children are also being abuse in the developed countries of the world. One major problem that is responsible to this setback is the development of human society. This led most parents and families to began to take greater risks in an attempt to escape poverty and improve standard of living. For this reason, equality between different categories of people among various countries of the world cannot be attained.

While from the angle of the society, inequality is brought about due to social inequality and structure, tradition or patriarchal system. It is a common facts that parents that live under low economic standards or with a low income are unable to provide good and quality education for their children so as to make them become good leaders in future. It can also be concluded that children who have parent with high standards of living and with high income have low tendencies of being abusive while those with low standards of living have higher tendencies of being abusive due to their socio-economic status. The patriarchal system is a kind of system whereby tradition bestowed certain rights on some individual over others.

By this inequality is created among people. Having said all this however, it is the duty and responsibilities of government to produce equal opportunities to stop or reduce these social menaces. First and foremost government must add more law that would guarantee for the equality of persons in terms of giving equal opportunities to everybody irrespective of their status in the society. Also government is to ensure that, tenets of the rule of law should be strictly adhere to. Concerted drive is to be made by government to eradicate the high level of illiteracy, particularly among our children and parents. If this can be achieved, it would help in reducing in equality to barest minimum. More so special attention should be given to the least in the society when shearing resources. Commenting further, Kant gives six different formulations of the categorical imperative, are as follow:

- (1) Act only on that maxim through which you can at the same time will that it should become a universal law.
- (2) Again I am never to act otherwise than so that my maxim should become a universal law.
- (3) Act as if the maxim of your action were to become your will a universal law of nature.
- (4) So act as to use humanity both in your own person and in the person of every other, always at the same time as an end, never simply as a means.
- (5) So act that your will can regard itself at the same time as making universal law through its maxim.
- (6) So act as if you were always through your maxims a law making member in a universal kingdom of ends.

But, we shall be discussing on some of those formulations according to, its relevance to the issue at hand.

According to Kant "Act only on that maxim through which you can at the same time will that it should become a universal law⁸". According to a rational principle Kant argued that if everybody were to kill children for rituals, tell lies to their parent of promising to put them in school whereas they never see the four

wall of school, commit suicide etc. life would be impossible no matter the situation we find ourselves. We will never, rationally "will" that telling lies telling and promise breaking become entrenched ethical maxim. This is so because governed by lie telling and promise breaking will be worse for it. Such law thus will be self-defeating.

Kant's "Act as if the maxim of your action were to become through your will a universal law of nature"⁹ requires us to consider whether the maxims of our action, universalized could be consistent with empirical fact of the natural world in which we have to act. That is, if what we have in mind tallies with the existing law, natural right then, according, to Kant has a moral worth. But, if it does not conform on the other hand, it is nothing other than a mere inclination.

Kant's "so act as to humanity both in your own person and the person of every other always at the time as an end, never simply as a means"¹⁰ otherwise known as the moral law.

This means that every individual has an intrinsic worth, that we should treat humanity with dignity and respect. This formulation of Kant requires us to universalize our conception as a rational being and treat other human beings likewise as rational beings. (the golden rule). If only we can abide by this formulation of Kant. Thus, equality is central in this formulation and Kant emphasizes the need to appreciate the dignity of every man irrespective of any other consideration. These, "respect owed to person does not depend upon our having affection or any particular concern for individual."¹¹

In the fifth formulation of Kant "So act that your will can regard itself as the same time as making universal law through its maxim"¹² Kant requires us to act in everything on our own as if it were universal law and at the same time can

become a general law. He points out in the sixth formulation that we must think of the law or principle of moral law as the principle which every legislators for himself and others without being forced to obey them. An example of these moral law is, "do to other what you would have them done unto you," telling lies, killing e.t.c. since most of the laws are found in the constitution, Kant is urging us to obey them and act dutifully so as to treat every man, women and children equally. If we stick to negative rights, we will predictably lead to very unequal distribution of wealth, power and well being. It is because wealth, power and well being are not equally distributed in the society, and that is one of the major reason why people involve in child trafficking, stealing e.t.c.

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CHAPTER FOUR

4.0 POLICY RECOMMENDATION

This essay, has tried to evaluate the danger involved in child abuse and how it could be controlled. Child abuse is considered as a crime against humanity and sin to religion. For this reason, the following recommendations shall be proffered to tackle the problems adequately.

A knowledge of ethics is of utmost importance here. This is because, for a nation to be considered as developed the provision of social infrastructure is not all that is required. Contrary to the opinion wrongly held by many people there has to be concomitant development of the physical being and, most importantly the moral attitude of the individuals that makes-up a society or a nation hence, J.I Omoregbe maintains that "moral development and the citizens of any nation are the prerequisites for the development of that nation¹. Although, knowledge of ethics is not a sufficient guarantee for the moral correctness or rightness of the citizens of any nation. But it has the potential of changing and re-defining perception in a positive manner. This would help in shaping the general attitudes of people and hence, affects their understanding of what social infrastructures are, the way to conduct themselves, respect others and how best to utilize available facilities for their own benefit and that of the nations. Thus, there is need to re-articulate and re-define our national values. Some of the way this can be done is by organizing workshops and specialized education should also be provided for parents, policy makers, religious and traditional authorities at all level of the community. School administrators and teachers should be properly trained to inculcate such values into our children. In the same vein, ethics should be incorporated into other disciplines as biology, health science or as a course or subject on its own and taught by

experienced matured teachers. Child's rights have to be protected because they are the leaders of tomorrow thus, it should be noted that part of a child's right is the need to cater for their needs so that they will develop into a confident and well-adjusted mature adult. It is the duty and responsibility of parents, government and society to plan the future of our younger generation. Every parent or guardian shall ensure that his child or ward attends and completes primary school education and secondary school education. Any parent or guardian who has the care or custody of a child who has completed his basic education should endeavour to send the child to a college of education, polytechnic and University and where the child is unable to go to school due some cogent reason the child shall be encouraged to learn appropriate trade and the employer of the child shall provide the necessities for the learning of the trade. Similarly, the child is to be trained to acquire certain skills for self-reliance so that they can be useful to themselves and to the nation as well. Moreover, parents who are not educated should try and acquire certain skills for self-reliance. that, they may be able to take their children to school, pay their school fees and cater for other responsibilities.

The government "must take reasonable legislative and other measures such control of pornographic films and literature circulating in the country². "Religious bodies must not pamper sexual immorality but condemn and punish same wherever and whenever it is noticed³. They must lead by example and discourage situations that perpetrate such vices.

Government should create a body or an establishment that would be responsible for this. The code of conduct beaurea agencies which was set-up by the federal government of Nigeria was created to serve the public elected office holders and civil servants to checkmate or regulates their conducts though, this is a good idea but it can as well be extended to non-elected office holders or civil servants.

There is the need to bring the media closer to the people, most especially the people from the grassroots. This can be done by exploring possibilities for the development of community media greater decentralization of The media would bring communities and media organization closer together, making it easier to the latter to relate to local concerns and problems and provide opportunities for grassroots participation This would require the licensing of community radio stations and the training of media professionals in participatory programming methods. It is hoped that when these suggestions are religiously implemented, the issue of child abuse in Nigeria will be ameliorated and today's cynics may find sufficient ground to support the policy and thereby, provides the needed catalyst to realize the set aims and objectives of the government.

4.1 CONCLUSION

By and large, in this essay, attempts had been made to explain what child abuse is, causes and how it can be eradicated. In the same vein, through Immanuel Kant categorical imperative, this research was able to underline some of the basis behind this scenario. Explicit and implicit reasons were dug out; arising from this, moral effects of different dimension such as dehumanization, torture, untimely death, psychological trauma among others featured out.

The major progress will be difficult to achieve and sustain without a concerted drive against poverty and illiteracy and this must be followed by measures specially designed to empower citizens towards shouldering their responsibilities. There is need for serious national re-orientation with the emphasis on the northern states where children of school age are begging on the street.

Special attention is to be given to the worst off in the society when sharing resources this would help in reducing inequality in the society.

furthermore, our advice to everyone is that we should always remember the principle of morality by applying Kant's categorical imperative which implies that we should treat humanity as "ends" and not as a "means" in whatever we do whether as a person or as a group of individuals being saddled with the responsibilities of making policies that concerns us or that have to do with the children of Nigeria, thus the moral law demands this from each and every one of us.

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