



The Government of Malawi

# CHILD PROTECTION RELIGIOUS LEADERS' MANUAL





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## FOREWORD

The Convention on the Rights of the Child (CRC) sets high standards for children's protection and well-being in the family, school, society and institutions – standards that religious leaders and groups are particularly well-placed to communicate and hold society accountable to. With moral standing and broad platforms, religious leaders and communities have the power and reach to help people across the entire spectrum of society to understand that violence against children is a human rights violation.

Religious communities can promote awareness raising and education in order to enable children and adults to become more conversant with the concepts of children's rights.

This does not mean that religious actors have to become child rights experts; they bring their own resources to the broader work of child protection. By increasing their awareness and knowledge of child rights and protection issues, religious leaders strengthen the roles they play in their communities by furthering the ideals of dignity and human worth inherent in religious traditions

Aside from the potential benefits that religious actors bring to partnerships, spirituality and religion can have a profound influence on children's development and socialization and have the potential to reinforce protective influences and promote resilience. The beliefs, practices, social networks and resources of religious groups can instill hope, give meaning to difficult experiences and provide emotional, physical and spiritual support. Impact can be far-reaching when child rights efforts are grounded in the protective aspects of religious beliefs and practices in a community.

Faith communities have broad access to children and various opportunities to train them. Sunday/Sabbath school platforms and madrasas are some of the places where children congregate and are exposed to spiritual formation. These communities, which are entrusted with taking care of children need to be aware of the fundamentals of child protection. It is also imperative that children themselves are aware of some basic elements of child protection.

In our bid to facilitate a united commitment of Faith Communities in the fight against HIV/AIDS, the Malawi Interfaith AIDS Association (MIAA) recognizes that we can not succeed in the battle against HIV and AIDS without paying attention to the multi-faceted challenges facing children. Children need to be protected and cared for in a manner that safeguards their lives from HIV infection and all forms of violence that confront them on a day to day basis. It is our conviction that this Child Protection Manual for the faith communities is an idea whose time has come and that it will open an avenue for bolder participation by the faith community in combating violence against children in Malawi.

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## LIST OF ACRONYMS

<b>AIDS</b>	Acquired Immune Deficiency Syndrome
<b>CCJP</b>	Catholic Commission for Justice and Peace
<b>CEDAW</b>	Convention on Elimination of Discrimination against Women
<b>CRC</b>	Convention on the Rights of the Child
<b>ECD</b>	Early Childhood Development
<b>GoM</b>	Government of Malawi
<b>HIV</b>	Human Immunodeficiency Virus
<b>LISAP</b>	Livingstonia Synod Aids Program
<b>MHRC</b>	Malawi Human Rights Commission
<b>MIAA</b>	Malawi Interfaith AIDS Association
<b>MDHS</b>	Malawi Demographic and Health Survey
<b>MGCSW</b>	Ministry of Gender, Children, Disability and Social Welfare
<b>MGDS</b>	Malawi Growth Development Strategy
<b>NSO</b>	National Statistics Office
<b>UNCRC</b>	United Nations Convention on the Rights of the Child
<b>UNICEF</b>	United Nations' Children Fund
<b>VAC</b>	Violence against Children
<b>WHO</b>	World Health Organization

# CHAPTER 1

## INTRODUCTION





## 1.1 BACKGROUND

This manual has been put together because religious communities are uniquely positioned to promote equitable outcomes for the most vulnerable children and families. Their moral influence and extensive networks give them access to the most neglected and deprived groups.

Several key elements of the Convention on the Rights of the Child – the most widely ratified and comprehensive legal instrument for the protection of child rights – reflect values shared with the world’s major religious traditions<sup>1</sup>. These include:

- A fundamental belief in the dignity of the child.
- An emphasis on the family as the best place for bringing up children.
- High priority given to children and the idea that all members of society have rights and duties towards them.
- A holistic notion of the child and a comprehensive understanding of his or her physical, emotional, social and spiritual needs.

Aside from the potential benefits that religious actors bring to partnerships, spirituality and religion can have a profound influence on children’s development and socialization and have the potential to reinforce protective influences and promote resilience. The beliefs, practices, social networks and resources of religious groups can instill hope, give meaning to difficult experiences and provide emotional, physical and spiritual support. Impact can be far-reaching when child rights efforts are grounded in the protective aspects of religious beliefs and practices in a community.

Faith communities have broad access to children and various opportunities to train them. Sunday school platforms and madrasas are some of the places where children congregate and are exposed to spiritual formation. These communities, which are entrusted with taking care of these children need to be aware of the fundamentals of child protection. It is also imperative that children themselves are aware of some basic elements of child protection.

1

Partnering with Religious Communities for Children, UNICEF, New York, 2012.



## 1.2 OBJECTIVES OF THE MANUAL

The main objective of this manual is to ensure a broad-based understanding of child protection by faith leaders in order to make them relevant to the important cause of child protection. The manual is intended to provide the required scriptural guide with reference to the Holy Scriptures, thereby making it a document that is not only friendly to religious leaders but also easy to use. The manual will draw its merits from MIAA's Child Protection concept as reflected in the UNICEF/ Malawi Child Protection Strategy.

Specifically, the manual addresses the following objectives:-

- Create understanding among faith communities regarding the fundamentals of Child Protection
- Demonstrate the relevance of Child Protection to the faith communities through citation of relevant scriptures
- Raise awareness of the important role of faith communities towards both the rights and responsibilities of a child.
- Recommend areas of urgent action for faith communities in fostering child protection

## 1.3 HOW TO USE THIS MANUAL

This manual has been designed as a general resource book for religious leaders on matters of Child Protection. It is expected that this manual will be used in diverse ways depending on the need by each institution. Faith leaders can integrate this manual in their worship services in order to mainstream child protection in their regular teaching and worship. The manual can also be incorporated into modules for seminars and workshops, which can be organized in churches or mosques. Training centres for religious leaders can also use this manual as prescribed reading for those undergoing training in counseling and other related modules.

# **CHAPTER 2**

## **SITUATIONAL ANALYSIS**



According to the UNICEF Malawi Child Protection Strategy (2012-2016)<sup>2</sup>, an estimated 3.1 million children are growing up in violent homes, witnessing domestic violence and experiencing its negative effects. 55% of girls and more than 70% of boys experience violence while growing up.<sup>3</sup> One in four (23 per cent) girls aged 15 to 19 years are married, compared to less than two per cent of boys. One in four children are involved in child labour. Less than one per cent of children aged 0 to 2 have a birth certificate. Nearly 13 per cent of children have lost one or both parents, half of them to HIV-related illness, while a further 6 per cent lives in households with a sick parent or other sick adult.

Many of Malawi's 1 million orphaned children live in poor communities that struggle to provide optimal care and protection, leaving the children vulnerable to neglect, abuse and exploitation. Approximately 47 per cent of children do not possess three minimum material needs (a blanket, one pair of shoes and more than one set of clothing). The overwhelming majority of these children are orphans and vulnerable children, with orphans representing 18 per cent of this figure. Property grabbing continues to be a major violation of the right to protection - 36 per cent widowed women are dispossessed of their property, but less than one in five women receive legal support or assistance in response.

While there have been significant advances in mitigating the impact of HIV on children, major challenges remain. The majority of vulnerable children are still not being reached by impact mitigation services and those with the highest needs are unlikely to be service recipients. Approximately 90,000 children are living with HIV and one in six children (1.2 million) are growing up with reduced parental care in a wide range of formal and informal care arrangements. By 2015, there will be 155,000 children aged 0 to 14 living with HIV and approximately 476,000 children orphaned from AIDS-related causes.<sup>4</sup> There are currently 12,000 children living in child-headed households and over 10,000 children<sup>5</sup> living in institutional care. Eleven per cent of children do not live with their parents, even though both parents are alive.

Sixty-eight per cent of girls and 62 per cent of boys exit the education system before the age of twelve. Only five per cent of people with a disability receive support from welfare services. Twenty-four per cent of children with a disability do not attend school and one in six children in alternative care institutions such as orphanages are children with a disability.<sup>6</sup> Overall, there are limited data on children with a disability, children in formal care and children in informal care in the community, but these children are likely to experience high levels of social exclusion, given their heightened vulnerability. There are little data to support an evidence informed understanding of the cultural value of children, social norms, and community and household dynamics involving children.

In response to this highly complex child protection situation, the government and civil society have made significant improvements in the architecture for child protection prevention, mitigation and response. The situation for children affected by an emergency has improved with the inclusion of core child protection indicators in the national contingency plan and the training of key actors in seven emergency-prone districts.

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2 UNICEF Malawi Child Protection Strategy, UNICEF Malawi, 2011

3 UNICEF: Malawi-Study on Violence Against Children, 2012

4 UNAIDS, 'Children and aids projections' (unpublished) UNAIDS Malawi, 2011

5 Malawi Human Rights Report on mapping of Childcare Institutions, 2013

6 Child Protection Strategy, UNICEF, 2008.

## **2.1 LEGAL AND POLICY ENVIRONMENT**

The Malawi Government has put in place a number of Policies and Laws that include the ratification of International, Continental and Regional treaties, Conventions and Protocols. The Country has a number of Acts of Parliament that directly address care, protection, development, and involvement of Children, while others may not necessarily be developed to directly address the same, but have specific clauses on the same.

A range of new laws covering child protection, birth registration, and wills and inheritances have been enacted. The Child Care Protection and Justice Act (2010) provides a broader policy and legal framework for child protection. The Prevention of Domestic Violence Act (2006) is under review and a new legislation is being drafted on the adoption of children and the trafficking of adults and children. Children's Courts are being progressively rolled out to ensure better justice for child offenders, witnesses and victims. The following outline summarizes the current legal and policy landscape:-

### **ACTS OF PARLIAMENT**

The list of Acts of Parliament that are both directly and indirectly linked to children include:-

- Child Care Protection and Justice Act (2010),
- The Marriage, Divorce and Family Relations Act
- The Will and inheritance Act
- The Adoption Act (currently under review)
- Gender Equality
- Prevention of Domestic Violence Act
- The Constitution of the Republic of Malawi
- The Penal Code
- Probation of Offenders Act
- The Affiliation Act
- The Maintenance of Married Women Act
- The Adoption Act
- The National Identification and Registration Act
- The Employment of Women, Young Persons and Children Act
- National Youth Council of Malawi Act
- Children's Homes Act
- The Penal Code Act
- Human Rights Commission Act

## **RELEVANT POLICIES**

The policies that are in place to provide care, protection and development of children (both directly and indirectly) include:-

- National Policy on ECD (January 2000 )
- National Policy on Gender (March 2000 )
- National Policy on Youth (1998)
- Malawi Policy on Decentralization (July 1996)
- National Policy on Orphans and Vulnerable Children (1996)
- National Policy on Education (June 2000)
- National Policy on Sports (November 2000)
- National Policy on Health (2000)
- National Policy on Equalisation of Opportunities for Persons with Disabilities (2006)
- National Policy on HIV/AIDS

## **INTERNATIONAL CONVENTIONS**

- The Convention of the Rights of Children (CRC)
- Convention on the Elimination of Discrimination Against Women (1987)
- ILO Convention 182 on Child Labour (1998)
- African Charter on the Rights and Welfare of the Child (1999)
- Optional Protocols to the CRC on the Sale of Children, Child Prostitution and Child Pornography (2000) (CEDAW)
- Involvement of Children in Armed Conflicts (2000)

## 2.2 ROLE OF FAITH COMMUNITIES IN CHILD PROTECTION

The faith community is currently making significant contributions in the area of children protection. Few examples are as follows:

- **Malawi Interfaith AIDS Association (MIAA):** MIAA recently launched a women and child protection program. The need for the faith community to play its role by promoting the rights of children and women through the religious teachings prompted MIAA to spearhead this campaign within the faith community. MIAA is working with its member institutions to promote this important cause.<sup>7</sup>
- **World Vision International:** World Vision seeks to empower children, families, communities and partners to prevent and respond to exploitation, neglect, abuse and other forms of violence affecting children, especially the most vulnerable. Together with its partners, World Vision supports preventing exploitation, harmful traditional practices and violence against children in their families and communities; protecting children living in vulnerable situations in communities and restoring children who have been abused, neglected or exploited.<sup>8</sup>
- **Livingstonia Synod AIDS Programme (LISAP):** LISAP recently launched a new 'Child Care, Protection and Justice By-Laws' formulated by the community to protect children from various forms of abuse, which some children face in the community, and to ensure that children continue with their education.<sup>9</sup>
- **Catholic Commission for Justice and Peace:** CCJP takes keen interest towards ensuring that child protection structures bring the culprits of child abuse to justice. Among other projects, they provide training to Community Based Educators (CBEs) and child protection workers, sensitizing them on the new child protection act.<sup>10</sup>

While applauding faith communities for their positive contribution towards child protection, there are also negative reports of incidences happening in the faith community. For instance, refusal of members of a Christian sect to give their children the measles vaccine because it goes against their doctrine; five children overzealously throwing themselves into the fire at an all-night prayer. There have also been cases of abuse in some of the child care centres and these have tarnished the image of religious institutions which are meant to be havens of protection for the children.

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7 <http://www.capitalradiomalawi.com/index.php/component/k2/item/2508-miaa-launches-child-and-women-protection-program>

8 <http://www.wvi.org/child-protection>

9 <http://www.pcimissionoverseas.org/news/item/466/malawi-livingstonia-synod-aids-programme-launch-child-protection-by-laws/>

10 <http://www.faceofmalawi.com/2014/04/ccjp-civic-educate-cbes-on-new-child-protection-act-in-chikhwawa/#sthash.spoBxKvn.dpbs>

# **CHAPTER 3**

## **WHAT IS CHILD PROTECTION?**



The term ‘child protection’ is used in different ways by different organizations in different situations. In this manual, the term will mean protection from violence, abuse and exploitation. In its simplest form, child protection addresses every child’s right not to be subjected to harm. It complements other rights that ensure that children receive what they need in order to survive, develop and thrive.<sup>11</sup>

Child protection covers a wide range of important, diverse and urgent issues such as child prostitution which is very closely linked to economic factors. Others, such as violence in the home or in schools, may relate more closely to poverty, social values, norms and traditions. Often criminality is involved, for example, with regard to child trafficking. Even technological advance has its protection aspects, as has been seen with the growth of child pornography.

### **3.1 WHAT IS AT STAKE?**

Violations of the child’s right to protection, in addition to being human rights violations, are also massive under-recognized and underreported barriers to child survival and development. Children subjected to violence, exploitation, abuse and neglect are at risk of:

- Shortened lives
- Poor physical and mental health
- Educational problems (including dropping out of school)
- Poor parenting skills later in life
- Homelessness, vagrancy and displacement

Conversely, successful protection actions increase a child’s chances to grow up physically and mentally healthy, confident and self-respecting, and less likely to abuse or exploit others, including his or her own children in adult life.

### **3.2 WHO IS A CHILD?**

Article 1 of the Convention on the Rights of the Child states that “a child means every human being below the age of eighteen years unless under the law applicable to the child, maturity is attained earlier”. UNICEF and other key international organizations working with children use 18 as the defining age of maturity.

The Convention recognizes that the way children exercise their rights and the limits imposed on the exercise of their rights can and should vary according to the age of the child. Article 5 states that: “States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention”.

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<sup>11</sup> Child protection. A handbook for Parliamentarians, Inter-Parliamentary Union/UNICEF, page 8.

## SERMON NOTES

### Theme: Knowledge is Power

- The faith community needs to be knowledgeable about its role in child protection. The first step is to understand what child protection is, as well as its relevance among the people of faith.
- The Bible places high value on children and the blessings that they carry as reflected in Psalm 127 vs. 3-5:



***“Behold, children are a gift of the LORD,  
The fruit of the womb is a reward.  
Like arrows in the hand of a warrior,  
So are the children of one’s youth.  
How blessed is the man whose quiver is full of them;  
They will not be ashamed  
When they speak with their enemies in the gate.”***

- 
- Islam teaches that children are gifts and awards from the Almighty Allah; they are a trust in our custody.
  - We must therefore care well for them and preserve them by implementing the teachings of Islam, and following what has been stated in the Noble Qur’an and what our Noble Prophet – Peace Be Upon Him – has guided us to be in his pure Prophetic tradition, where he says: “Each of you is a shepherd, and each of you is accountable for his other flock.”

If children are such precious gifts, then it is imperative that believers become concerned about the following dangers that children suffer as a result of violation of children’s rights.

- Shortened lives
- Poor physical and mental health
- Educational problems (including dropping out of school)
- Poor parenting skills later in life
- Homelessness, vagrancy and displacement

# CHAPTER 4

## SEXUAL ABUSE



Sexual abuse constitutes inappropriate sexual behavior with or in front of the child. This includes sexual intercourse, rape, incest, sodomy, pornography, fondling child's genitals, making the child fondle the adult's genitals and sexual exploitation. Sexual abuse of children is more than just physical sexual contact and includes:

*sexual touching of any part of the body, clothed or unclothed, including using an object; all penetrative sex, including penetration of the mouth with an object or part of the body; encouraging a child to engage in sexual activity, including sexual acts with someone else or making a child strip or masturbate; intentionally engaging in sexual activity in front of a child ; not taking proper measures to prevent a child being exposed to sexual activity by others; meeting a child following sexual 'grooming', or preparation, with the intention of abusing them; taking, making, permitting to take, distributing, showing or advertising indecent images of children; paying for the sexual services of a child or encouraging them into prostitution or pornography; and showing a child images of sexual activity including photographs, videos or via webcams.<sup>12</sup>*

A Formative Study on Violence Against Children in Malawi<sup>13</sup> conducted in 17 districts spread across all the 3 regions of Malawi analyzes the context within which violence against children (VAC) takes place and identifies the causal factors for VAC in Malawi.

The results show that VAC takes place in the home, in school, in the community and in the places of work, among others. In each of these places where VAC takes place, it includes sexual violence, physical abuse and corporal punishment, and emotional violence. In the home, additional VAC include child neglect and child abandonment.

According to the study, in the home and family, sexual abuse is often perpetrated by men, usually step-fathers, fathers, grandparents, uncles, cousins and other male relatives of the victim. Physical violence and corporal punishment are often perpetrated by women, usually step mothers. Emotional violence and abandonment are often perpetrated by female adults, usually mothers or step mothers. In schools, male teachers and male learners are often perpetrators of sexual and emotional violence. Bullying is often perpetrated by fellow learners, often male.

The common perpetrators of VAC in the community include marijuana smokers and drunkards, among others. In the central region districts, masked dancers (Nyau) perpetrate violence by beating up children that are not initiated into their cult. Women who practice prostitution often lure their female children into prostitution. Child trafficking is often perpetrated by male adults, usually close relatives. The study also found that employers, foreigners, farm owners also perpetuate child trafficking, as they provide a market for the trafficked children. In places of work, the main perpetrators of physical and emotional violence include employers of domestic workers. For sexual violence in the place of work, the main perpetrators are male employers and male children or relatives of the employers.

<sup>12</sup> <http://www.nspcc.org.uk/sexualabuse>

<sup>13</sup> GOM/UNICEF/USAID, Formative Study on Violence against Children, 2014

## 4.1 CHILD SEXUAL ABUSE COMMITTED BY ADULTS

Significantly more men than women sexually abuse children. However, sexual abuse committed by women is under-reported and is sometimes not recognized as abuse. Contrary to the popular image, abusers usually seem quite normal to others. Friends, relatives and co-workers often find it hard to believe that someone they know has abused children. 9 out of 10 children know their abuser. They are likely to be a relative, family friend or person in a position of trust, rather than a stranger. A child may not say anything because they think it is their fault, that no one will believe them, or that they will be teased or punished. The child may even care for an abusing adult. They will want the abuse to stop, but they may fear the adult will go to prison or that their family will break up.

Very young children and disabled children are particularly vulnerable because they may not have the words or the ability to communicate what is happening to them to someone they trust.

The Bible stresses the need for establishing a loving environment where our children should grow. It further warns us against any acts that violate the wellbeing of our children. Paul writes the Colossian church in Colossians 3 vs. 21:



***“Fathers, do not embitter your children, or they will become discouraged.”***

Sexual abuse not only embitters children in the literal sense of the word, but also leaves them scarred for life. Fathers need to lead by example to ensure that the rest of the family is offering the secure environment which is the dream of every child.

The Qur’an rejects all form of sexual immodesty. Sexual intercourse within a male–female marriage is the only one approved in Islam. The foundation text for this is the following verse from the Qur’an:-



***“Among His signs is that he created for you from amongst you-partners, with whom to dwell in tranquility and he laid love and compassion between you”*** (Q: 30-21)

The Qur’an actually speaks approvingly of one kind of relationship for sexual fulfillment; that of marriage between male and female. Anything apart from that is sexual abuse and that includes:

- Sexual intercourse with a child
- Showing pornographic materials to children
- Incest (sex with one’s own child or direct relation)
- Defilement
- Sex outside marriage

In addition Q 24:33 warns us against any form of exploitation of children under our care. This applies mostly to those who engage in this malpractice for gainful purposes:



***“..but force not your maids to do prostitution when they desire chastity in order that you may make a gain in the goods of life.....”***

## **4.2 CHILD SEXUAL ABUSE COMMITTED BY CHILDREN AND YOUNG PEOPLE**

Sometimes children are sexually abused by other children and young people. Two thirds of sexual abuse involving physical contact is committed by peers. Children and young people who abuse other children, or who develop harmful sexual behaviours, have often experienced abuse and neglect themselves. A child who is being abused by other children and young people may be very confused about their feelings and rationalize, or be persuaded, that what is happening is ‘normal’.

## **4.3 CAUSES OF SEXUAL ABUSE OR EXPLOITATION**

Findings from the Formative Study on Violence against Children reveal a number of factors that cause sexual abuse or exploitation of children. These include but not limited to the following:

- **Rituals:** This is done as part of witch doctors’ advice to help a poor man gain wealth through magic, as reported in Lilongwe rural, Mchinji, Karonga, and Chitipa. In certain cases, mothers of the victimized children are aware of the arrangement and give consent, as reported in parts of Nsanje and Chikwawa.
- **Lust:** Some fathers/guardians indulge in sex with the daughter that has reached sexual maturity as he wants to be the first to have sex with her. This was reported in Nsanje and Phalombe.
- **Myths on cure for HIV and AIDS:** Some perpetrators who are HIV infected believe that they will be cured of HIV and AIDS if they have sex with a virgin who is very young.
- **To prevent the husband from engaging in extramarital affairs:** Some women agree with their husbands to let him have sex with her daughters instead of being engaged in extramarital affairs. Such arrangements are also done in cases where the wife will be away from home for a long period. Sometimes barren women allow their husbands to sleep with their step-daughters to ensure that there is a child in the family. In polygamous communities, wives allow husbands to be having sex with their daughters instead of getting another wife.
- **Social norms and values:** Traditional beliefs and values particularly in the rural areas are perpetrating sexual abuse in the home. In many communities, men have the right to exercise power over women and children, and sexual violence against children is considered part of such traditions. Further, families are considered as private spheres and sexual violence against children in the homes are considered as private matters.



- **Poverty:** Limited economic opportunities and poverty, especially in the rural areas, fuel rape and sexual violence against young children in a bid to obtain wealth and move out of poverty. This is also highly linked to traditional beliefs in rituals.
- **Impact of HIV and AIDS:** Some HIV infected individuals, especially in the rural areas, undertake desperate measures, including visiting witch doctors who prescribe cures including those that involve having sex with a virgin.
- **Poor parent - child relationship:** In many areas of Malawi, children are considered as property of their parents. This kind of parent-child relationship makes it relatively easy for the parents or guardian to sexually abuse the child.

#### 4.4 SIGNS AND SYMPTOMS OF SEXUALLY ABUSED CHILDREN

Children who have been sexually abused may show a variety of signs. They may try to tell you about abuse through hints or clues. They may also describe behavior by an adult that suggests they are being 'groomed' for future abuse. Other signs include:

- Suddenly starting to behave differently by showing aggressive behavior, sleeping problems, bed-wetting or soiling, risk-taking behavior during adolescence, negative thoughts, not looking after themselves, problems with school, or missing school.
- Avoiding particular adults and avoiding being alone with a particular family member. Also if child fears an adult or is reluctant to socialize with them.
- Sexually inappropriate behavior by becoming sexually active at a young age, being promiscuous and use of sexual language or information that you would not expect them to know.
- Physical symptoms include anal or vaginal soreness, an unusual discharge and pregnancy.

God created sex and intended for it to be within the confines of a husband-wife relationship. Child sex goes against God's requirements.

God offers hope and life to victims of child sex abuse. Such victims should no longer remain prisoners of guilt and shame nor remain oppressed by the burden of fear and unforgiveness for Isaiah 61:1 declares;

#### 4.5 EFFECTS OF SEXUAL ABUSE

- The physical consequences of sexual abuse may include premature and unwanted pregnancy in girls, sexually transmitted diseases, including HIV and AIDS, and sexual dysfunction.
- The psychological consequences of sexual abuse for child victims are often devastating. The UN Special Rapporteur on child prostitution and child pornography found that nearly half of adolescent girls who had been victims of sexual or physical abuse reported symptoms of depression. Adolescent boys who had been victims of physical or sexual abuse were more than four times as likely as other boys their age to report symptoms of poor mental health, and twice as likely as their peers to use drugs and alcohol. More than half reported having thought about suicide. (Handbook on parliamentarians 76).
- In addition to psychological, social and physical damages, child prostitutes are particularly vulnerable to AIDS and other sexually transmitted infections, because they are rarely in a position to negotiate safe sex.



***“The Spirit of the Lord is upon me because the Lord has sent me to bring good news to the oppressed, to bind up the broken-hearted, to proclaim liberty to the captives... to provide for those who mourn in Zion to give them a garland instead of ashes, the oil of gladness instead of mourning...”***

Islam recognizes the sexual needs of human beings and believes that the natural instincts should be nurtured, not suppressed. Islam says that the biological parts of our body have a purpose; they have not been created uselessly. No text in Islam can be found to equate sex with inherent evil or sin; whatever has been taught by the Qur'an, Prophet Muhammad and his Ahlu'l-bayt points in the opposite direction.

Marriage and sex are among the signs of God's power and blessings. The Qur'an says,



***“And among His signs is that He has created for you spouses from among yourselves so that you may live in tranquillity with them; and He has created love and mercy between you. Verily, in that are signs for those who reflect.” (30:21)***

From these few verses of the Qur'an, one can easily understand that according to Islam: (a) marriage is a sign of God's power and blessings; (b) marriage is a highly recommended act of virtue which should not be avoided because of poverty; (c) sexual urge is a creative command of God placed in human nature. After equating sex with Allah's creative command, there can be no room for equating it with guilt, sin or evil.

## **4.6 STEPS ONE CAN TAKE TO HELP KEEP CHILDREN SAFE FROM SEXUAL ABUSE**

To help keep a child safe from sexual abuse, there are several practical steps that faith communities can take:

- Raise general awareness of child protection issues in their communities.
- Teach and train parents on appropriate child care and upbringing.
- Inculcate spiritual values into children to help them value their own bodies.
- Mobilize prayer to protect and preserve children from moral and spiritual derailment.

Individuals can also play an important role as follows:

- Talk to the children to help them understand about their bodies and sex.
- Build an open and trusting relationship with them, so they feel they can talk to you about anything.
- Explain the difference between 'good' secrets - like a surprise birthday party - and 'bad' secrets that make them feel unhappy or worried.
- Teach the children that they have the right to say no, and that they are in control of their body.
- Set and teach children to respect family boundaries: every family member has a right to privacy.

- Teach children to respect themselves and others, this is especially important for young boys to develop healthy relationships with girls.
- Teach children how to use the internet safely and provide appropriate supervision for the internet, television and films.
- Don't leave a child alone with anyone you aren't sure about.

## SERMON NOTES

### Theme: Sexual Abuse—Not our life-style



#### Text: 2 Samuel 13

"Children are leaders of our tomorrow," we often hear it being said. However, they are relevant today as well and we need to ensure their well-being in their present day life. Ensuring their freedom from sexual abuse is very important.

- The Bible shows us that God created sex and intended for it to be within the confines of a husband-wife relationship. Child sex goes against God's requirements.
- The Old Testament reveals tragic stories of sexual abuse. Just like today, victims of sex abuse were urged to keep the abuse a secret. Perpetrators of this abuse suffered the consequences.
- The story of young Tamar in 2 Samuel 13 shows how her brother and father reaped the consequences. The family was divided but more tragically, Tamar's brother, Absalom, killed Amnon who had abused his sister. Absalom had to flee home and stayed away for two years.
- On the other hand, the young girl herself, besides being immediately hated intensely by her brother, suffered shame, violation and trauma as well as being estranged from her family. Her father was angry. No, he was furious. This was a crisis. But what did he do about it? Nothing. Her brother, Absalom heard about it and went to counsel her, "Amnon is your brother, do not take it to heart." Yet the Law of Moses was clear; such offenses were to be severely punished.

- God offers hope and life to victims of child sex abuse. Such victims should no longer remain prisoners of guilt and shame nor remain oppressed by the burden of fear and unforgiveness for Isaiah 61:1 declares;

***"The Spirit of the lord is upon me because the Lord has sent me to bring good news to the oppressed, to bind up the broken-hearted, to proclaim liberty to the captives... to provide for those who mourn in Zion to give them a garland instead of ashes, the oil of gladness instead of mourning..."***



#### Text: Q 24: 33

***"...but force not your maids to do prostitution when they desire chastity in order that you may make a gain in the goods of life..."***

The Qur'an rejects all form of sexual immodesty. Sexual intercourse within a male-female marriage is the only one approved in Islam. The foundation text for this is the following verse from the Qur'an:

Among His signs is that he created for you from amongst you, partners, with whom to dwell in tranquility and he laid love and compassion between you (Q: 30-21)

The Qur'an actually speaks approvingly of one kind of relationship for sexual fulfillment, that of marriage between male and female. Anything apart from that is sexual abuse and that includes:

- Sexual intercourse with a child
- Showing pornographic materials to children
- Incest (sex with one's own child or direct relation)
- Defilement
- Sex outside marriage

# **CHAPTER 5**

## **PHYSICAL, EMOTIONAL AND PYSCHOLOGICAL VIOLENCE**



Physical, emotional and psychological abuse consists of by physical, verbal and mental ill-treatment of a child. It is also the failure to act. This produces serious behavioral, cognitive, emotional or mental disorders and injuries. Such maltreatments include confinement of a child in a room; tying them to a tree or furniture; pouring hot water on them; hitting, punching, shaking or kicking them; threatening or terrorizing the child; making remarks that humiliate them. Psychological violence includes the exposure of a child to domestic violence in the home, such as spousal or partner quarrels, and making a child participate in alcohol and drug use. In Malawi children are exposed to all these forms of abuse.

The Save the Children Handbook<sup>14</sup> describes physical violence as including:

- Direct assaults on a child's body, such as pinching, pulling ears or hair, twisting joints, cutting and shaving hair, cutting or piercing skin, carrying or dragging a child against his or her will;
- Indirect assaults on a child's body, through using adult power, authority or threats to force a child to perform physically painful or damaging acts, such as holding a weight or weights for an extended period, kneeling on stones, standing or sitting in a contorted position;
- Deliberate neglect of a child's physical needs, where this is intended as punishment;
- Use of external substances, such as burning or freezing materials, water, smoke (including from smoldering peppers), excrement or urine, to inflict pain, fear, harm, disgust or loss of dignity;
- Use of hazardous tasks including those that are beyond a child's strength or bring him or her into contact with dangerous or unhygienic substances; such as tasks including sweeping or digging in the hot sun, using bleach or insecticides, unprotected cleaning of toilets;

Emotional abuse is any attitude, behavior or failure to act on the part of the caregiver that interferes with a child's mental health or social development.

Psychological and emotional abuse consists primarily of verbal behavior that terrorizes, intimidates, humiliates or demeans the victim. Depriving children of normal contact with other persons, which includes confinement, being shut in a confined space, tied up, or forced to remain in one place for an extended period of time, is a form of psychological and emotional abuse, which children with disabilities are particularly prone to suffer in a number of societies. Some studies indicate that psychological and emotional abuse can have an even greater impact on the victims than physical violence.

The Bible cautions authority figures in families not to provoke children under their custody as violence almost always begets violence. Authority figures are found in all other institutions which have children under their custody. The Bible advises those in authority not to provoke or abuse children under them or else the children will become violently angry or get caught up in a rage of frustration. Colossians 3:21 has a strong admonition against child abuse: "Fathers, do not embitter your children, or they will become discouraged" God does not approve any type of abuse against children. Attitudes and actions of violence come from, "works of the flesh," which is our human nature apart from God.

The Bible paints a distinction between punishment that is constructive and abuse. Hebrews 12:7 and Revelation 3:19 point out that God disciplines those He loves. Sometimes that discipline is physical (Proverbs 13:24), but the Bible is clear that such punishment is for the benefit of the receiver, not the emotional release of the punisher; and it should never cause serious or permanent physical damage.

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14 Save the Children Handbook – How to Research the Physical and Emotional Punishment of Children, Save the Children Southeast Asia Region, 2004,

In a Hadeeth, the Prophet, PBUH, said: “Do not lift your stick against your wife and children and urge them to fear AllaahThe Almighty.”[Al-Albaani:Hasan] The Hadeeth implies one of the great principles of upbringing: the motive behind doing what is right and good should not be fear of the stick and physical punishment; rather, it should be from within, an internal conscience which blames one even for an inappropriate whisper. The Hadeeth implies that punishment should not be physical only; rather, moral chastisement is more useful, comprehensive and lasting. Fear of Allaah The Almighty does not come from one or two situations; rather, it is an ongoing method of explaining, teaching and reminding for the young child, until it is firmly established in his soul and heart. It is fear of The Observer who hears and sees everything and also reckons for it in the Hereafter. Allaah The Almighty sees what others cannot see and knows the soul’s whisper when it longs for what is forbidden and disallowed.

## **5.1 WHO ARE THE PEOPLE EMOTIONALLY ABUSING CHILDREN?**

Anybody can emotionally abuse children. However those mostly associated with the abuse are care-takers. Emotional abuse goes on sometimes without the abuser knowing that they are emotionally abusing children and also without the children knowing that they are being abused. There is need to sensitize all parties on what emotional abuse is, how it happens and its effects on children.

Although some violence is unexpected and isolated, most violence against children is carried out by people children know and should be able to trust, such as parents, stepparents or parents’ partners, schoolmates, teachers and employers. Many children experience physical violence at some point during childhood. Patterns of violence vary from one society to another, and according to the age and sex of the child. In most cases it is inflicted by relatives within the home, and occurs repeatedly.

Certain groups of children are particularly vulnerable, including children with disabilities, children belonging to minority groups, children living on the streets, adolescents in conflict with the law, children without parental care, refugee and displaced children amongst others. Often children who face violence or witness it, remain silent out of fear and stigma, and many children accept violence as an inevitable part of life.

Although the family should be the natural environment for protection of children, the home can also be a place where children experience violence in the form of discipline. Data from 37 countries that carried out an optional module on child discipline during the third round of Multiple Indicator Cluster Surveys (2005–2006) show that 86 per cent of children between 2 and 14 years old experience physical punishment and/or psychological aggression. Two out of three children are subject to physical punishment.

According to the Bible, abuse is sin. It doesn’t matter if it’s physical, emotional, verbal, sexual, or spiritual; it is all sin. Titus 2:4 says we are to love our children. The word “love” is an adjective based on the verb *phileo*—to treat affectionately and kindly; to have warm regards for. As an adjective, this love is to characterize our interaction with children. And there is no place in such love for abuse.

The Bible pinpoints most causes of child abuse to some form of anger, “a hot-tempered man commits many sins.” (Proverbs 29:22). Anger, therefore, needs to be confessed to God first before it comes to the point of physical abuse against a child. Harsh, unloving discipline alienates children’s minds from their parents and no matter what instructions and corrections the parents give, they will be useless because the child is already exasperated.

A child's emotional frustration with a parent puts a wall between them that cuts off respect and communication. Exasperating a child keeps the child from obeying you, which, in turn, is disobedience to God as Matthew 18:1-6 shows the consequences of leading a child to disobedience, "It would be better for him if a millstone was hung around his neck and he were thrown into the sea." It is horrible to push a child away from a relationship with Christ.

Islam clearly condemns dissipation of marriage; the loss of the common bonds between the spouses; quarrelling in front of the children and exchanging blows and insults; as well as discriminating between the children and showing preference to some over the other. This negatively affects children physically, emotionally and psychologically.

Caring for and raising children in the proper manner is a duty for parents and it is not always easy. In fact, God reminds us in the Qur'an that Children may even be a trial for their parents. The triumphs and tribulations of life are a test and children are no exception. They can bring great joy and at times they can bring great sadness as well. The correct Islamic advice for raising and rearing children covers all aspects of life, just like Islam itself gives holistic advice. Physical, emotional, psychological and spiritual wellbeing of children are all of equal importance and should not be violated.



Main scripture: Hadith

***"Be equitable among your children in bestowments as much as you wish for them to be equitable among you in kindness and gentleness"***

## **5.2 CONSEQUENCES OF PHYSICAL AND PSYCHOLOGICAL VIOLENCE**

Consequences of violence can take many different forms. In addition to the psychological and physical effects, victims of physical abuse during childhood have an increased risk of becoming violent offenders themselves. Many victims also experience physical and mental health problems later in life, which can lead to death and disability. Society also pays the price in terms of direct medical costs, lost earnings and unrealized tax revenues, as well as the costs of protective services.

Effects of physical abuse include difficulties in adulthood with physical closeness, touching, intimacy or trust, anxiety, depression, substance abuse, problems at school and becoming abusive parents or caregivers.

## **5.3 WHAT CAN BE DONE?**

Action against violence, therefore, should seek to strengthen the protective environment around children. This includes involving teachers and health and social workers as well as others who are often the frontline of those caring for and more generally interacting with children. They need to be equipped with the skills to recognize when children are being subjected to violence to know how to respond.

In addition, they will often require a referral service for cases to be followed up. This approach should also address attitudes, customs and traditions, and emphasize non-tolerance of all forms of violence. Physical violence and other more severe forms of violence are more likely where everyday harassment

is tolerated. There is a need for integrated multispectral strategies and plans of action at the international, regional, national and local levels, to ensure that efforts for the prevention of violence within the family and the care for child victims are fully coordinated and multidisciplinary, address the root causes of violence (including socio-economic factors, discrimination and others), and involve children in the design of effective prevention and response strategies.

## SERMON NOTES

### Theme: No room for violence in our communities



**Text: Colossians 3:21**

Jesus calls his followers to be the light of the world and salt of the earth. In this connection, authority figures in families are urged not to provoke children under their custody as violence almost always begets violence. Authority figures are found in all other institutions which have children under their custody.

- The Bible advises those in authority not to provoke or abuse children under them or else the children will become violently angry or get caught up in a rage of frustration.
- Colossians 3:21 has a strong admonition against child abuse: “Fathers, do not embitter your children, or they will become discouraged” God does not approve any type of abuse against children. Attitudes and actions of violence come from, “works of the flesh,” which is our human nature apart from God.

The Bible paints a distinction between punishment that is constructive and abuse. Hebrews 12:7 and Revelation 3:19 point out that God disciplines those He loves. Sometimes that discipline is physical (Proverbs 13:24), but the Bible is clear that such punishment is for the benefit of the receiver, not the emotional release of the punisher; and it should never cause serious or permanent physical damage.

Abuse is sin. It doesn't matter if it's physical, emotional, verbal, sexual, or spiritual; it is all sin. Titus 2:4 says we are to love our children.

The Bible pinpoints most causes of child abuse to some form of anger, “a hot-tempered man commits many sins.” (Proverbs 29:22). Anger, therefore, needs to be confessed to God first before it comes to the point of physical abuse against a child. A child's emotional frustration with a parent puts a wall between them that cuts off respect and communication.



**Text: Hadith**

***“Be equitable among your children in bestowments as much as you wish for them to be equitable among you in kindness and gentleness***

Islam clearly condemns dissipation of marriage; the loss of the common bonds between the spouses; quarrelling in front of the children and exchanging blows and insults; as well as discriminating between the children and showing preference to some over the other. The absence of the father and wife's abandonment of her modesty negatively affects children physically, emotionally and psychologically.

- Caring for and raising children in the proper manner is a duty for parents and it is not always easy. In fact, God reminds us in the Qur'an that Children may even be a trial for their parents. The triumphs and tribulations of life are a test and children are no exception. They can bring great joy and at times they can bring great sadness as well.

The correct Islamic advice for raising and rearing children covers all aspects of life, just like Islam itself gives holistic advice. Physical, emotional, psychological and spiritual wellbeing of children are all of equal importance and should not be violated.

# **CHAPTER 6**

## **EARLY AND FORCED MARRIAGES**



Child marriage destroys the innocence of a childhood. It is a violation of a human person, their potential and future. It is tantamount to placing burdens upon them. In Malawi, girls get married in their early teens, when they are supposed to be in school. A forced marriage, as the name implies, is a situation where a girl is forced by her parents, guardians or suitors, into marriage. Early and forced marriage is usually done by the parents to lighten the burden of economic problems in homes. It is a known fact that most of these forced marriages happen with full knowledge of faith communities which should have acted as a strong deterrent against this malpractice.

A Report on Profiling Early Marriages in Malawi<sup>15</sup> observes that most adolescent girls do not get married voluntarily but rather involuntarily; entering a marriage arranged by their parents, relatives and others. Cultural practices in part have fueled early marriages among different ethnic groups. A report by Malawi Human Rights Commission (MHRC), shows that the replacement of a deceased wife (chimeta masisi, chidzutsa nyumba, chiusya nyumba, impyana, mbirika, nthena) is very common in most parts of the country. Young adolescents as early as 15 years old are forced into this practice to men as old as 50 years. Even when the adolescents run away, parents and their relatives still hunt them down and force them to replace a deceased wife. They do this among others for fear of the man demanding back the bride price and also to still enjoy the wealth of the man if he is well to do.

The issues of child marriage, arranged or forced marriages and adolescent pregnancy are closely related. All marriages should be based on the freely-given consent of both parties. Marriages that do not respect this principle are considered a practice similar to slavery, violating the rights of those concerned, whether male or female, regardless of their age. A person cannot consent to marriage until they are mature enough to fully understand the consequences of the commitment and able to disregard any improper pressures.

In the Jewish custom, the child grew up protected by laws in the society. Then, every deviant behavior was punished and the sanctions varied from the fairly mild ones to death by stoning. According to Jewish law, Amnon who abused Tamar (2 Samuel 13) should have been stoned to death but no one did anything thus leaving the girl exposed and uncomfortable.

Under the new covenant, scripture underlines the need to protect children but also gives direction that marriage should be to and between believers. Jesus strongly commands us not to tamper with the children. Marriage is a God-ordained institution and should be a consummation of godly love. It is our Christian duty to stand up against child abuse in the form of early and forced marriages as these go against Bible instruction.

Islam is a religion of order and procedure. This all is due to the orderliness which is driven and backed by the Quranic and prophetic teachings.

It is evident from the prophetic teachings that Islam has no room for early marriages. Actually in one Hadith the prophet (PBUH) sanctioned Muslims to teach their girl children properly.

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15 National Youth Council of Malawi, Profiling Early Marriages in Malawi, 2009.

In his original context He said:



***“Whoever had a daughter, adored her on good morals, educated her well and fed her properly; He or she will be protected from hell fire”***

It is evident from the prophets saying that a child who is being encouraged for education cannot at the same time be made available for an early marriage. In that regard there is no room for early marriage in Islam. The same applies to forced marriages.

There is no authority that allows women to be forced into marriage. Women according to Islam should only marry with their free consent. On this point, the prophet (PBUH) is reported to have said; “A woman should not be given in marriage except after her permission”.

#### **Additional References: Q24:32-33**

Child marriages are incompatible with the rights of girls and boys not only because they deny the right to freely decide whether or not to marry and to choose one's spouse, but also because they entail serious risks to reproductive health. Of course, premature sexual relations and especially premature pregnancy endanger the health of girls whether or not they are married, but marriage is a risk factor because it almost invariably leads to sexual relations.

Moreover, in societies where child marriage is widespread, there is frequently strong pressure to produce a child without delay, and the rate of contraception among young wives is very low. Premature pregnancy outside marriage is also a cause of early and non-consensual marriage. In some countries, this is facilitated by legislation that allows children under the usual minimum age to be married 'in exceptional circumstances' with the permission of their parents or a court. The legislation of some countries still provides that subsequent marriage of a rapist with the victim is a bar to prosecution for rape. In Malawi too the faith community can have an advocacy role to push for review of the constitution or indeed an amendment to ensure full protection of our precious children.

Every year, some 14 million girls aged 15 to 19 give birth and another 5 million girls of this age have unsafe abortions. In some countries, half of all women have their first child before reaching the age of 18. Women of this age group are twice as likely to die in childbirth as those in their 20s, and girls under the age of 15 are five times as likely to die in childbirth.

Deaths related to pregnancy are the leading cause of death for girls aged 14 to 15 around the world. For every woman who dies in childbirth, 15 to 30 survive, but with chronic disabilities. Children born to mothers under the age of 19 also have a much higher risk of mortality.

In the Bible, ancient marriages were usually arranged between the oldest male family members within the same group or family clan (Genesis 27:46-28:2). This guaranteed the future existence of the overall group and the preservation of culture and values. Girls were given in marriage when they were old enough to bear children, whereas men married when they either received their inheritance or obtained their own resources. It was also common for the groom to give a dowry, or purchase his wife from his future father-in-law. In the case of Jacob, since he evidently had no such dowry, he indentured himself

to his father-in-law in exchange for his wives (Genesis 29:15-21).

Islam has nothing to do with the custom of child marriage; reference to early marriages can be found nowhere in the Qur'an. Instead of an age limit, we find an unchangeable standard, which is the attainment of maturity. The fact remains that where custom encourages early marriage, the practice stems from nothing but the norms of the people. Sharia has nothing to do with it. Such a custom is not particular to Muslim societies, but has been known in many other cultures.<sup>16</sup>

Hadith Bukhar (Page 895) says,



***“A woman should not be given in marriage except after her permission”***

There is a strong correlation between poverty and early marriage. Poorer young women are more likely to marry at an early age. Poor families may regard a young girl as an economic burden and her marriage as a necessary survival strategy for the family. They may think that early marriage offers protection for their daughter from the dangers of sexual assault, or more generally offers the care of a male guardian.

Early marriage may also be seen as a strategy to avoid girls becoming pregnant outside of marriage. Girls who marry or become pregnant generally leave school, if they had not already done so. Their earning potential is affected, making them more dependent on their spouses or other men, and they tend to have larger families. The UN Population Fund comments that “Early childbearing in poor families perpetuates an inter-generational cycle of poverty”

A UNICEF study indicates that too often premature marriage prejudices not only educational opportunity but also personal development, leading to a life-time of domestic and sexual subservience. The vast majority of persons who marry prematurely are girls. Such marriages are most prevalent in societies where traditional values concerning the subservience of women and children are strong.

16

Children in Islam, THEIR CARE, UPBRINGING AND PROTECTION  
Al-Azhar University, in cooperation with the United Nations Children's Fund (UNICEF)  
2005

## SERMON NOTES

### Theme: Banish Early Marriages from our Communities



Text: Leviticus 20:1-5

God is jealous to protect His children from harm. While the Bible may not have verses directly indicating the right age for marriage, the general direction is that children should get married when they are mature enough to make independent decisions regarding marriage.

- In the Jewish custom, the child grew up protected by laws in the society. Then, every deviant behavior was punished and the sanctions varied from the fairly mild ones to death by stoning.
- According to Jewish law, Amnon who abused Tamar (2 Samuel 13) should have been stoned to death but no one did anything thus leaving the girl exposed and uncomfortable.
- Under the new covenant, scripture underlines the need to protect children but also gives direction that marriage should be to and between believers. Jesus strongly commands us not to tamper with the children.
- Marriage is a God-ordained institution and should be a consummation of godly love. It is our Christian duty to stand up against child abuse in the form of early and forced marriages as these go against Bible instruction.

#### Scriptures

- 1 Corinthians 13:4-7 Marriage should be entered into as a result of love.
- Leviticus 20:1-5 God is jealous to protect His children from harm.
- 2 Samuel 11:26-27 King David brought Uriah's wife (Uriah had been killed) into his house and became his wife.
- Deuteronomy 33:27-29 God is the ultimate source of any protective environment.
- 1 Samuel 3:19, Jeremiah 29:11 God has a plan for everyone of His children (and in those plans God would not contradict Himself).

- Ephesians 6:4 Parents are not to provoke their children.



Text: Haddith

***"Whoever had a daughter, adored her on good morals, educated her well and fed her properly; He or she will be protected from hell fire"***

Islam is a religion of order and procedure. This all is due to the orderliness which is driven and backed by the Quranic and prophetic teachings. It is evident from the prophetic teachings that Islam has no room for early marriages. Actually in one Hadith the prophet (PBUH) sanctioned Muslims to teach their girl children properly.

In his original context He said: "Whoever had a daughter, adored her on good morals, educated her well and fed her properly; He or she will be protected from hell fire"

- It is evident from the prophets saying that a child who is being encouraged for education cannot at the same time be made available for an early marriage. In that regard there is no room for early marriage in Islam. The same applies to forced marriages.
- There is no authority that allows women to be forced into marriage. Women according to Islam should only marry with their free consent. On this point, the prophet (PBUH) is reported to have said; "A woman should not be given in marriage except after her permission."



Hadith Bukhar Page 895

***"A woman should not be given in marriage except after her permission"***

#### Additional References: Q24:32-33

# CHAPTER 7

## CHILD NEGLECT



Child neglect is a situation where the parents or guardians fail to provide the basic needs of life. This may include failure to provide adequate food, clothes and medical care, education, psychological and emotional support and love, as well as simple every day care including bathing, dressing them properly and praying for them. Children suffer from neglect for a number of reasons, including poverty, break up of marriages and problematic relationships.

Neglect is a broad concept that includes failure to meet the material and emotional needs of children and failure to provide physical and intellectual stimulation and adequate supervision and guidance. Society generally believes there are necessary behaviors a caregiver must provide a child with in order for the child to develop physically, socially, and emotionally. Causes of neglect may be any of several parenting problems, including mental health, substance use, domestic violence, unemployment, unplanned pregnancy, single parenting, and poverty.

The Child Care, Protection and Justice Act (2000) places a heavy responsibility on parents in ensuring that children receive their due care and protection, stipulating the following key parental responsibilities:

- Protecting the child from neglect, discrimination, violence, abuse, exploitation, oppression and exposure to physical, mental, social and moral hazards;
- Providing proper guidance, care, assistance and maintenance for the child to ensure his or her survival and development, including in particular adequate diet, clothing, shelter and medical attention;
- Ensuring that during the temporary absence of the parent or guardian, the child shall be cared for by a competent person;
- Exercising joint primary responsibility for raising their children

## **7.1 TYPES OF CHILD NEGLECT**

There are various types of child neglect:

- Physical neglect refers to the failure to provide a child with basic necessities of life such as food and clothing.
- Medical neglect is when caregivers do not meet children's basic health care needs.
- Emotional neglect is failing to provide emotional support such as emotional security and encouragement.
- Educational/developmental neglect is the failure to provide a child with experiences for necessary growth and development, such as not sending a child to school.
- Depending on the laws and child protective policies in your area, leaving a young child unsupervised may be considered neglect, especially if doing so places the child in danger.

The abandonment of children is an extreme form of neglect. The decision to abandon a child may sometimes be a response to lack of support mechanisms or the weight of cultural traditions. In some countries, children are abandoned because the parent or parents feel unable to provide them with the means of subsistence, or believe that abandoning the child to families or institutions with more resources is the only way to offer their child a chance for a better future. In some cultures, the stigma attached to conception outside marriage causes most children conceived out of wedlock to be abandoned at birth. In a number of cases, faith leaders have been pushed to officiate marriages as a way of covering up what has gone wrong.

Parents and guardians have been tasked to look after their children. This is a serious responsibility as child neglect may range from psychological, emotional, physical as well as educational neglect. God, in His omniscience has provided guidelines to make the responsibility manageable. God places a lot of emphasis on the well-being and care of children and so, any form of neglect is a cause of concern. Proverbs 29:15 (NIV) stresses the need for parents to guard against the disgrace that would stem from a child without discipline.



***“The rod of correction imparts wisdom, but a child left to himself disgraces his mother.”***

Islam acknowledges that A great deal of child deviation can be attributed to parents’ neglect of the proper upbringing of their children at an early stage, their lack of attention to their conduct and their preoccupation with pursuing their careers and business endeavours. They may pamper their children with lavish provisions which often leads to their corruption in the near future. Children are gifts and awards from the Almighty Allah; they are a trust in our custody. We must therefore care well for them and preserve them by implementing the teachings of Islam, and following what has been stated in the Noble Qur’an and what our Noble Prophet – Peace Be Upon Him – has guided us to be in his pure Prophetic tradition, where he says: “Each of you is a shepherd, and each of you is accountable for his or her flock.”

## **7.2 CAUSES OF CHILD NEGLECT**

Although the causes of neglect are varied, studies suggest that, amongst other things, parental mental health problems, substance use, domestic violence, unemployment, and poverty are factors which increase the likelihood of neglect. Children that result from unintended pregnancies are more likely to suffer from abuse and neglect. They are also more likely to live in poverty. Other factors include:

- Growing up in an unstable, hostile non nurturing home, which may lead to stressful marriages and abusive parenting practices with their own children;
- Depression;
- Poor social and coping skills;
- Poor social communication and problem solving skills;
- Lack of knowledge of and empathy for children’s age appropriate needs;
- Alcohol and drug abuse;

- Repulsive and undisciplined children;
- Unemployment;
- Stress.

## Effects

Neglected children are at risk of developing life-long social, emotional and health problems, particularly if neglected before the age of two years.

Effects of child neglect can differ depending on the individual and how much treatment is provided, but generally speaking, child neglect which occurs in the first two years of a child's life may be more of an important precursor of childhood aggression compared to later neglect, which may not have as strong a correlation.

Children who suffer from neglect most often also have attachment difficulties, cognitive deficits, emotional/behavioral problems, and physical consequences as a result of neglect. Early neglect has the potential to modify the body's stress response, which can cause abnormalities and alter the body's overall health.

The Bible features some scenarios where negligence to raise children according to God's will resulted in a whole family being destroyed and at times, failure by the people of Judah in caring for their children resulted in the children begging for food and lacking in other basic necessities. Parents and guardians are to love their children and demonstrate that love so that the children grow up in a warm and caring environment. God calls for the church to fulfill this role of caring for the vulnerable and not simply expect others to carry out this task. The Bible condemns all forms of neglect, especially as it relates to one's own family:



1 Timothy 5:8,

***“Anyone who does not provide for their relatives, and especially for their own household, has denied the faith and is worse than an unbeliever”.***

Islam encourages parents to cooperate with one another to set up and agree on a sound plan for their children's education and jointly supervise its implementation. Islam has shown the method of correct education of children and instructed parents to teach their children the Islamic morals and virtues so that boys and girls may grow up with adequate immunity from alien cultural invasion and imported social maladies.



According to Hadith Tirmidh:

***“A parent may not give a better gift to a child than rearing him uprightly until he grows with good manners.”***

Research has shown that there is a relationship between neglect and disturbed patterns of infant-care-taker attachment. If parents lack sensitivity to their baby's needs, the baby will develop insecure anxious attachment. The neglectful behavior the child experiences will contribute to their attachment difficulties and formation of relationships in the future, or lack thereof. In addition to biological and social effects, neglect affects intellectual ability and academic deficits.

Also, children who suffer from child neglect may also suffer from anxiety or impulse-control disorders. Another result of child neglect is what people call "failure to thrive". Infants who have deficits in growth and abnormal behaviors such as withdrawal, apathy and excessive sleep are failing to thrive, rather than developing to become "healthy" individuals.

Other Effects of neglect on children include:

- Anxiety and feeling insecure with the primary caregivers.
- Being passive and socially withdrawn.
- Experiencing developmental problems.
- Exhibit frustration, anger and non compliance.
- Low self-esteem.
- Poor performance in school.
- Low confidence levels.

## **7.3 WHO IS REPORTED FOR NEGLECTING CHILDREN**

Women are most often reported for neglectful behaviour. The higher proportion of females reported for neglect may reflect the social attitude that mothers are responsible for meeting the needs of their children. Family size can also contribute to child neglect. If a family has several children, they may not be able to give all the children all the basic necessities needed to survive and thrive. Unfortunately, if the family cannot provide for all their children, children can suffer neglect. Family history can play a role in parents' neglectful behavior. If parents were neglected when they were children, they learned neglectful behavior from their own parents. They often internalize and believe those behaviors to be the "norm", which results in neglecting their own children.

## 7.4 INTERVENTION PROGRAMS

Fortunately, there are early intervention programs and treatments for child neglect. In addition to individual, family, group counselling and social support services, behavioral skills training programs exist to eliminate problematic behavior and teach parents “appropriate” parenting behavior. Programs, such as Triple P Parenting Program<sup>17</sup> a positive parenting program, works with parents whose children have discernible problems. It is a multilevel, parenting and family support strategy (“Triple P”). Neglectful families often experience multiple problems and deficits, lack of knowledge, skills and resources. If parents are educated on “proper” parenting and given the appropriate resources, it could help decrease the amount of child neglect cases.

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The Triple P – Positive Parenting Program is one of the most effective evidence-based parenting programs in the world, backed up by more than 30 years of ongoing research. Triple P gives parents simple and practical strategies to help them confidently manage their children’s behaviour, prevent problems developing and build strong, healthy relationships. Triple P is currently used in 25 countries and has been shown to work across cultures, socio-economic groups and in all kinds of family structures.



## SERMON NOTES

### Theme: United against child neglect



Text: Hebrews 11:23

***“By faith Moses’ parents hid him for three months after he was born, because they saw he was no ordinary child...”***

Moses’ parents demonstrate a good model of parental responsibility. Sensing the danger that their child faced, they hid him for three months because of the great value they placed on him.

- Parents and guardians have been tasked to look after their children. This is a serious responsibility as child neglect may range from psychological, emotional, physical as well as educational neglect.
- God, in His omniscience has provided guidelines to make the responsibility manageable. God places a lot of emphasis on the well-being and care of children and so, any form of neglect is a cause of concern.
- In some cases, negligence to raise children according to God’s will resulted in a whole family being destroyed and at times, failure by the people of Judah in caring for their children resulted in the children begging for food and lacking in other basic necessities.
- Parents and guardians are to love their children and demonstrate that love so that the children grow up in a warm and caring environment. God calls for the church to fulfil this role of caring for the vulnerable and not simply expect others to carry out this task.

#### Scriptures

- Leviticus 19:18 (KJV) Thou shalt not avenge, nor bear any grudge against the children of thy people.
- 1 Samuel 2:12-17 (NIV) Eli’s sons were wicked men, they had no regard for the Lord...This sin of the young men was very great in the Lord’s sight.
- Proverbs 29:15 (NIV) The rod of correction imparts wisdom, but a child left to himself disgraces his mother.
- Deuteronomy 6:6-9 (NIV) These commandments that I give you today are to be upon your hearts. Impress them on your children.

- Ephesians 6:4 (NIV) Fathers, do not exasperate your children, instead bring them up in the training and instruction of the Lord.
- Psalm 103:13 (NIV) As a father has compassion on his children, so the Lord has compassion on those who fear Him.
- Hebrews 11:23 (NIV) By faith Moses’ parents hid him for three months after he was born, because they saw he was no ordinary child.



Text: Hadith Tirmidh

***“A parent may not give a better gift to a child than rearing him uprightly until he grows with good manners.”***

A great deal of child deviation can be attributed to parents’ neglect of the proper upbringing of their children at an early stage, their lack of attention to their conduct and their preoccupation with pursuing their careers and business endeavors. They may pamper their children with lavish provisions which often leads to their corruption in the near future.

- Parents must cooperate with one another to set up and agree on a sound plan for their children’s education and jointly supervise its implementation.
- Islam has shown the method of correct education of children and instructed parents to teach their children the Islamic morals and virtues so that boys and girls may grow up with adequate immunity from alien cultural invasion and imported social maladies.

**Additional References: Q29:52, Q2:233, Q2:195**

# **CHAPTER 8**

## **CHILD LABOUR AND EXPLOITATION**



Child labour and exploitation is a widespread practice in the developing world and Malawi is no exception. Children are engaged in work or other activities that benefit other people but these activities can be dangerous and detrimental to their health, education and their overall potential in life. In Malawi young children are mostly employed on tobacco and other plantations. A significant percentage of them work in homes of individual families, performing domestic chores that keep them away from school. In most cases, the children work for long hours but are paid remunerations not commensurate to the type of work they do.

## **8.1 WHAT IS CHILD LABOUR?**

Child labour refers to work that is hazardous and likely to interfere with the child's education, or be harmful to the child's health or physical, mental, spiritual, moral or social development. Children's participation in family work that does not affect their health and personal development or interfere with their schooling is generally regarded as a positive part of socialization. It refers only to forms of employment or unpaid work that violate the rights of children and should be prohibited. The Child Care Protection and Justice Act (2010) prohibits employing such children at night or in any public or private industrial activity. Child labour is different from child work because child work is work that involves preparing or training children and is a part of socialization and it prepares the children for the future and adulthood. Involving children in light activities in the home helps develop the child. They learn how to be responsible, they become healthy and fit, learn how to take on various roles, become dependable and grow up to be responsible persons.

UNICEF estimates that 150 million children 5–14 years old worldwide are engaged in child labour. This estimate is based on data from 102 countries. Child labour is most common in sub-Saharan Africa, where more than a third of children work.

ILO estimates that more than two thirds of all child labour is in the agricultural sector. It has found that children in rural areas – and girls in particular – begin agricultural labour as young as 5–7 years old. The Malawi Demographic and Health Survey (2004) undertaken by NSO show that 37 percent of children age 5-14 are currently engaged in some type of work. Eight percent of children age 5-14 are doing work for nonrelatives, about half of these without pay. It is reported that 70 percent of the children did daily household chores for less than four hours per day. One in three children was engaged in family business or working on the family farm. Older children were much more likely to be working than younger children.

The activities of child labour may include:

- Activities in agricultural labour;
- Domestic activities;
- Mining and quarrying work;
- Work in manufacturing or industry;
- Trade and commerce activities;
- Forced labour activities;
- Recruitment of children in armed conflicts;
- Offering of a child for prostitution or pornography;

- Children used in criminal activities;
- Use of children to gather alms.

There are two main types of child labour: under-age employment and hazardous employment. Both are widespread throughout the world and Malawi is no exception. An estimated 67 million children in the 5 - 14 age group are engaged in non-hazardous childlabour. More than 180 million are estimated to be engaged in hazardous employment.

Child labour and exploitation has been in existence since time immemorial.



The book of 1 Samuel 8:11-13(NIV) gives a sobering insight into the degree of exploitation then,  
He said,

***“This is what the king who will reign over you will do. He will take your sons and make them serve with his chariots and horses and they will run in front of his chariots. Some he will assign to be commanders of thousands and commanders of fifties and others to plough his ground and reap his harvest and still others to make weapons of war and equipment of his chariots. He will take your daughters and to be perfumers and cooks and bakers.”***

The Bible contains examples of child labour as well as examples of God’s people saving children from such oppression.



In 2 Corinthians 12:14, Paul was emphatic about parental obligation to provide for their children:

***“Here for the third time I am ready to come to you. And I will not be a burden, for I seek not what is yours but you. For children are not obligated to save up for their parents, but parents for their children”***

The Islamic position on child labour and exploitation is that it is not allowed, since children are to be protected from anything that is risky and dangerous to their health and life. Making children work at an early age will definitely compromise their life and wellbeing as such it is not acceptable. It is a fact that within the aspect of labour there will be an element of exploitation and this is not condoned in Islam. It shall be noted however that what matters the most when talking of child labour is age connotation in Islam.

There is a number of clear authority that according to Imam Abu Hanifa a person aged 25 years shall be treated as an adult who can exercise financial independence and handle civil or commercial transactions. As per a famous tradition (ascribed to Hazrat Abdullah Bin Umar) the Prophet of Islam declined the request of Hazrat Abdullah to join the battle of Uhud but granted him permission to join the battle of Ditch. According to Hazrat Asbdullah, he was 14 years old at the time of the battle of Uhud but was over 15 at the time of the battle of Ditch. This shows that age is an important factor when it comes to labour in Islam.



Main Scripture: Qur'an 17: 31

***“Kill not your children for the fear of want. We shall provide sustenance for them as well as you. Verily the killing of them is great sin”***

## 8.2 UNDERAGE EMPLOYMENT

ILO Convention No.138 establishes three age limits:

18 for hazardous work; 15 for full-time employment in non-hazardous work and 13 for 'light' work that does not interfere with education. The main purpose of minimum wages for employment is to protect the right of children to obtain an education. The reeducation and child labour do not go together. Many children leave school or are unable to meet the demands of the school system because of the need to work. Other children become child laborers because no schools are available, because they cannot afford the cost of school attendance, because the education offered is of poor quality or perceived as irrelevant, or because the school environment is hostile. While some children are deprived of their right to an education because of premature entry into the labour market, others enter the labour market prematurely because their right to obtain an education is not effectively guaranteed.

The main causes of underage employment are structural, and are related to weaknesses in the economic, social and educational systems. Structural adjustment programmes, privatization and transition to market-oriented economies have had a significant impact on school enrolment and child labour in many countries. Legal and cultural factors also play a role, however. In many countries, the minimum age for employment is lower than the age of compulsory school attendance, which leads to a paradoxical situation where children have a right to seek employment while being legally obliged to attend school.

## 8.3 HAZARDOUS EMPLOYMENT

Every child has the right to living conditions that are suitable to his or her physical, mental, spiritual, moral and social development. Hazardous work is work that is likely to prejudice the development of the child concerned in any of these areas. Almost two thirds of all children engaged in hazardous work are under the age of 15. Work may be hazardous due to the nature of the activity itself, the tools or materials used in the workplace, or the hours or conditions of work. Certain types of labor, such as agriculture, fishing and mining, have long been recognized as dangerous for children, but other types of labor may also be hazardous depending on the circumstances, including the age, health and sex of the child. Children who are malnourished or stunted, for example, are more vulnerable to physically demanding work. Girls employed as domestic servants are particularly vulnerable to sexual exploitation.

Hazardous work for children may include: work in mines, at dangerous heights, plantations, handling pesticides, harmful chemicals, sharp tools and heavy machinery in plantations, manual handling or transportation of heavy loads, working during the night, working in brothels, nightclubs, bottle stores and beer halls among others.

## 8.4 THE CAUSES OF CHILD LABOR

Factors that cause child labour could be immediate, underlying or structural. Immediate factors are those that directly lead to their involvement in child labour, while the underlying factors are the root causes of child labour, and may actually not be obvious or directly linked to child labour. On the other hand, structural factors are those that relate to how society is organized to take care of children.

### Factors contributing to Child Labour

Immediate factors	Underlying factors	Structural causes
<ul style="list-style-type: none"> <li>• Lack of money to access basic needs</li> <li>• Increase in prices of basic needs</li> <li>• Family indebtedness</li> <li>• Household calamities such as death, illness and other disasters as fire, crop failure, etc.</li> <li>• Inaccessibility to education</li> <li>• Demand for cheap labour</li> <li>• Lack of adequate resources for the family to hire labour</li> </ul>	<ul style="list-style-type: none"> <li>• Breakdown of extended family and informal social protection structures</li> <li>• Illiteracy among parents</li> <li>• Cultural expectations expecting children to work</li> <li>• Discriminatory practices (gender)</li> <li>• Poverty</li> <li>• Obligation of the children to their parents</li> </ul>	<ul style="list-style-type: none"> <li>• Low and declining national income</li> <li>• Adverse terms of trade</li> <li>• Societal calamities wars, floods, economic crisis, HIV/AIDS</li> <li>• Insufficient political will</li> <li>• Social exclusion of marginal groups</li> <li>• Unemployment</li> </ul>

Poverty is obviously one of the principal causes of child labour. Many children, who work, whether in the home or in paid employment, do so in order to help their families to survive. Paradoxically, however, child labor is also a cause of poverty. It usually deprives children of an education and the opportunity to acquire skills, and in some cases also results in physical disabilities that further limit the earning potential of the victim. With early entry into the labour force, most children delay entry to school, fail to complete a basic education or never attend school at all. Where girls who labour are in school, they carry a 'triple burden' of housework, schoolwork and work outside the home, paid or unpaid, which inevitably reduces their educational attainment and achievement.

Other causes of child labor include family indebtedness, the lack of or poor quality of schools, breakdown of the extended family, uneducated parents, cultural expectations concerning the role of children, high fertility rates and consumerism.

## 8.5 EFFECTS OF CHILD LABOUR

Effects of Child labour include:

- Child labour deprives a child of a proper childhood;
- Child suffers physical and mental torture;
- Children become mentally and emotionally mature too fast which is a dangerous sign;
- Child labour creates and perpetuates poverty;
- It condemns the child to a life of unskilled, badly paid work;
- Ultimately this leads to child labour with each generation of poor children;
- Undercutting wages;
- Lack of skilled labour force.

The Bible gives examples of intolerance to exploitation of others. In Acts 16:16-18, Paul the Apostle and Silas demonstrate that we should not be indifferent to exploitative greed that surrounds us:



***“Once when we were going to the place of prayer, we were met by a female slave who had a spirit by which she predicted the future. She earned a great deal of money for her owners by fortune-telling. She followed Paul and the rest of us, shouting, “These men are servants of the Most High God, who are telling you the way to be saved.” She kept this up for many days. Finally Paul became so annoyed that he turned around and said to the spirit, “In the name of Jesus Christ I command you to come out of her!” At that moment the spirit left her”***

From the onset it will be noted that small children cannot be exposed to labour in Islam. It should however be mentioned that it is acceptable for children to be given an opportunity to start learning some skills of different chores in homes as a way of teaching them to be responsible. The bottom line is that wealth creation should not follow crooked paths:



Quran 4:29 says,

***“O you who have believed, do not consume one another’s wealth unjustly but only [in lawful] business by mutual consent. And do not kill yourselves [or one another]. Indeed, Allah is to you ever Merciful”***

## 8.6 WHAT CAN BE DONE BY THE FAITH COMMUNITY?

- Training and counselling for parents/guardians in income generating skills and awareness raising activities in communities;
- Direct support in the form of counselling, diagnosis of the causes and having children supported and withdrawn from the dangerous work environments;
- Counselling for parents;
  - To avoid overworking children.
  - Recognize orphans as children with their rights, show them love.
  - Educate children on their property and ensure that children inherit all their property.
  - Send the children to school.
- Community;
  - Monitor the situation so that parents engaged in child labour are punished.
  - Rebuke neighbours socially when they overwork their children and don't send them to school.
  - Community people to take active responsibilities in making sure that adults are the only ones engaged in work.
- Collaboration with partners in combating child labour;
- Adopt a holistic approach which takes into account all the causative elements in the family and providing holistic support;
- A public education component on the demerits of child labour;
- Awareness raising and enforcement of labour laws.

## 8.7 ADDITIONAL INTERVENTIONS THAT CAN BE DONE AT VARIOUS LEVELS

- **Offering quality educational opportunities**

A comprehensive programme for improving school systems should be implemented to reduce school drop-out, as well as to encourage and facilitate the integration or reintegration of child labourers into the school system.

- **Community-based social support systems**

Children often become child labourers in response to a sudden event that affects the family income or expenses, such as illness, death or the loss of employment by an adult wage-earner. Community-based programmes, designed to help families surmount such crises, make a valuable contribution to comprehensive programmes to reduce child labour. Similarly, community-based programmes, which are providing access to credit or training and which are designed to enhance the earning power of adult family members in sectors and communities where child labour is most prevalent, can also be effective.

- **Cultural change and community ownership**

Comprehensive efforts are needed to eliminate cultural values that encourage child labour, including attitudes that discriminate against girls. Such efforts should be made at community and national levels. At the community level, they are most effective when linked to programmes designed to provide alternatives to families that rely on the income of child labourers or are at risk. Experience in many countries confirms that non-governmental organizations can play a vital role in such activities, especially through the use of participatory approaches that foster a sense of community ownership, which is essential for the sustainability of programmes against child labour. The active participation of children, including former child labourers, enhances the effectiveness of such activities.

- **Enforcement**

Enforcement is an important part of comprehensive efforts to reduce child labour, although experience suggests that traditional enforcement methods by labour inspection services must be complemented by other approaches and reinforced by the participation of other actors. Measures to enhance the effectiveness of enforcement include:

- The participation of labour inspectors in research on child labour and in peer training;
- Non-traditional activities, such as assisting employers' associations to self inspect and participation in community awareness activities;
- The adoption of local ordinances or regulations that serve as a basis for monitoring and enforcement by local authorities;
- Mobile inspection units;
- Partnerships with trade unions and non-governmental organizations.

## SERMON NOTES

### Theme: Let's stamp out child labour and exploitation



**Text: 1 Samuel 8:11-13**

The current trend of child labour and exploitation in our country needs to be stopped as a matter of urgency if the future of our children is to be safeguarded.

- Child labour and exploitation has been in existence since time immemorial. The book of 1 Samuel 8:11-13(NIV) gives a sobering insight into the degree of exploitation then, He said, "This is what the king who will reign over you will do. He will take your sons and make them serve with his chariots and horses and they will run in front of his chariots. Some he will assign to be commanders of thousands and commanders of fifties and others to plough his ground and reap his harvest and still others to make weapons of war and equipment of his chariots. He will take your daughters and to be perfumers and cooks and bakers."
- The Bible contains examples of child labour as well as examples of God's people saving children from such oppression.
  - Acts 16:16-18 Once when we were going to the place of prayer, we were met by a slave who had a spirit by which she predicted the future. She a great deal of money for her owners by fortune -telling...She kept this up for many days. Finally, Paul became so troubled that he turned around and said to the spirit, 'In the name of Jesus Christ, I command you to come out of her'. At that moment the spirit left her.
  - Malachi 2:16 Broken families and divorce are some of the main causes of child labour and exploitation and God makes it clear that he hates divorce.
  - 1 Timothy 6:10 (NIV) For the love of money is a root of all kinds of evil.
  - 2 Samuel 8:11-13 Ungodly people use children and exploit them, forcing them to work, often for little or no pay.

- As believers, we are compelled to take the lead in fighting against this malpractice. By using the knowledge and information available on the subject, we will be setting the example that our Lord Jesus expects of us—as salt and light of our world.



**Text: Qur'an 17: 31**

***"Kill not your children for the fear of want. We shall provide sustenance for them as well as you. Verily the killing of them is great sin".***

The Islamic position on child labour and exploitation is that it is not allowed, since children are to be protected from anything that is risky and dangerous to their health and life. Making children work at an early age will definitely compromise their life and well being as such it is not acceptable.

- It is a fact that within the aspect of labour there will be an element of exploitation and this is not condoned in Islam. It shall be noted however that what matters the most when talking of child labour is age connotation in Islam.
- There is a number of clear authority that according to Imam Abu Hanifa a person aged 25 years shall be treated as an adult who can exercise financial independence and handle civil or commercial transactions. As per a famous tradition (ascribed to Hazrat Abdullah Bin Umar) the Prophet of Islam declined the request of Hazrat Abdullah to join the battle of Uhud but granted him permission to join the battle of Ditch.
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- From the onset it will be noted that small children cannot be exposed to labour in Islam. It should however be mentioned that it is acceptable for children to be given an opportunity to start learning some skills of different chores in homes as a way of teaching them to be responsible.

## CHAPTER 9

# VIOLATION OF CHILDREN'S RIGHTS

VICTIM SUPPORT UNIT  
OFESI YA NKHANI ZA CHINSINSI



Children's rights are entitlements that all children should have for their growth and wellbeing regardless of their age, sex, race, nationality, religion, political beliefs and language.

The first mention of 'right of the child' in an internationally recognized context was in 1924. The assembly of the League of Nations passed a resolution endorsing the 1923 "Save the Children International Union" Declaration of the Rights of the Child. This was a document mindful of child rights given the experience and aftermath of the First World War, which produced many children in need of protection and special care.

The 2<sup>nd</sup> World War produced similar harsh realities. The UN Charter that came into being in 1948 recognized the plight of children. On 20<sup>th</sup> November 1959, the United Nations General Assembly adopted the Declaration of the Rights of the Child, an expanded version of the 1924 Save the Children document.

Ensuing discussions on the rights of the child culminated into the adoption of the United Nations Convention on the Rights of the Child (UNCRC) by the UN General Assembly in November 20<sup>th</sup> 1989.

## CHILDREN'S RIGHT TO EDUCATION



The right to obtain an education is a basic right of every child. A quality basic education better equips girls and boys with the knowledge and skills necessary to adopt healthy lifestyles and take an active role in social, economic and political decision-making as they transition to adolescence and adulthood. Education encourages the intellectual and social development of children, and enhances their ability to earn a decent living. It is also a vital component of national development. It helps the individual become a better parent, an informed citizen and an active participant in civil society. In addition, it has a beneficial impact on problems such as delinquency and domestic violence.

Violation of children's rights includes denial of their right to education. Due to economic and social-cultural factors, parents ascribe low value to education. Poverty drives many parents to force children to work; even those already in schools are discouraged from continuing. The situation is far worse for girls, as many parents in rural communities do not see the importance of their education. As such they

are forced into early marriage and early pregnancies; are kept at home for sibling care and household chores and are initiated in ceremonies that give them a false impression of adulthood. These practices destroy their retention and completion of primary education and hinder their transition into secondary schools and vocational training.

The Bible has a lot to say about children's right to education. Before education became formalized, it was a social responsibility with the parents and guardians playing a pivotal role. Every child had to be educated in the way to live in family and society. If, for example, a child refused instruction, the parents could take the child to the elders and have him publicly flogged. Education was centered on following godly lifestyle with the first focal point being obedience to the family authorities. The family structure was viewed as pivotal to the survival of the society and so God expected a lot from both the parents and the children. Early in life, Jesus could be found in the temple listening to and asking the teachers questions.

### **Scriptures**

- Luke 2:46-47 (KJV) And it came to pass, that after three days they found him in the temple sitting in the midst of the doctors both hearing them and asking them questions.
- Proverbs 2:10 (New Living Translation) For wisdom will enter your heart, and knowledge will fill you with joy.
- John 7:14 (NIV) Not until halfway through the feast did Jesus go up to the temple courts and began to teach.
- Deuteronomy 11:19 (New Living Translation) Teach them to your children. Talk about them when you are at home and when you are away on a journey, when you are lying down and when you are getting up again.
- Proverbs 9:10 (NIV) The fear of the Lord is the beginning of wisdom, and knowledge of the Holy One is understanding.

Islam pays great attention and special care to the education of children. It placed upon parents the responsibility of providing children with some education, guided them to the right path and illuminated the way for them to help them in this great task and important function. Islam underlined the responsibility of the mother in this regard and assigned to her the greatest role in life, namely the education of children. She was awarded the highest medal, making paradise under the feet of mothers. The mother is the first school for the child as she alone is the one who nurses and hears him in the very first stage of his life and this stage is the most critical to his/her education. She is aided by the father and later by the school.

Parents remain the primary care and provider of education to their children until they grow up to maturity. Education in Islam is not limited to bookish knowledge but includes moral and religious training too. Parents must not only provide for children's education in schools and colleges but should also take personal interest in their studies, helping them if they can. This gives children a feeling of working with parents and parents must spare some time to take interest in children's studies, especially when they are young.



Main Scripture: Hadith

***“The best gift which a father gives his children is that of goods, education and manners”***

Hadith 224

***“The seeking of knowledge is obligatory upon every Muslim male and female”***

## CHILDREN'S RIGHT TO HEALTH



The World Health Organization defines health as: “a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”. The United Nations Committee on Economic, Social and Cultural Rights has interpreted the right to health broadly as:

***“... an inclusive right extending not only to timely and appropriate health care, but also to the underlying determinants of health, such as access to safe and potable water and adequate sanitation, an adequate supply of safe food, nutrition and housing, healthy occupational and environmental conditions, and access to health related education and information, including on sexual and reproductive health. A further important aspect is the participation of the population in all health-related decision-making at the community, national and international levels.”***

For children, the right to health is vital because they are vulnerable beings, more at risk to illness and health complications. When children are spared from disease, they can grow into healthy adults, and in this way, contribute to the development of dynamic and productive societies. While good health promotes the child's physical and mental development, poor health on the other hand, causes retarded growth. Although Malawi has made significant strides in elimination or controlling a number of diseases which affect children, there are still others that are of concern. Some of the causes of illness among the children are pneumonia, acute respiratory infections, malaria and intestinal parasitic worms. Bil-hazia is a disease that largely affects people in the rural communities, children bearing the brunt of it.

Children require extra attention in order to enjoy the best possible health. This allows them to develop properly during their childhood and teenage years. At every step of their physical and mental development, children have specific needs and different health risks. Additionally, a newborn is more vulnerable and more exposed to certain diseases than a young child or teenager (i.e. infectious disease, malnutrition.) On the other hand, a teenager, due to his or her habits and behavior, is exposed to other kinds of risks (sexual health, mental health, alcohol and drug use etc.)

Generally, a child who benefits from appropriate health care will enjoy a better state of health during the stages of childhood and can become a healthy adult.

The right to children's health also includes pre and postnatal care for mothers. A newborn will have a much lower chance of survival if the mother dies due to complications from pregnancy or childbirth.

Jesus told the story of how God would separate people into two groups; one to eternal life and the other to condemnation. The distinguishing criterion would be how each group treated the hungry, the sick and the needy in their midst. Matthew 25:35 (NIV) says, "For I was hungry and you gave me something to eat, I was thirsty and you gave me something to drink, I was a stranger and you invited me in, I needed clothes and you clothed me, I was sick and you looked after me, I was in prison and you visited me."

It is an important Christian principle that we provide for the vulnerable people such as children. The church should rise and ensure that those vulnerable within the community are not left to go hungry, but are provided for through the church among other networks that maybe within the church. This type of caring is an expression of true religion, and we ought to do the same. Food provision to the hungry, particularly children, gives them a basis for a revitalized life, providing the opportunity to live up to their full God given potential and enjoy a success in life.

### **Scriptures**

- Matthew 25:31-46 God instructs and expects the church to give food, visit the sick and provide for the vulnerable, particularly children.
- Isaiah 58:6-10 God made clear to Israel that they were called to care for the needy and oppressed, which included feeding the hungry.
- James 1: 27 The Christian community is instructed by God to care for the needy and distressed such as orphans.
- Luke 10:39-37 The church has to provide caring service and love to those in crisis (including children) without discrimination.
- Matthew 4:23 Christians should follow Christ's example to proclaim the gospel of the kingdom of God in word and deed.

- 1 Kings 8:37-40 Mobilising intercessory prayer for all forms of crisis including a health crisis threatening children.
- Leviticus 11:1-23, Daniel 1:8, 12-13, Deuteronomy 14:3-21, 3 John:2 Ensuring that children have healthy diet.
- Proverbs 16:24 Christians should speak positively into lives of children.
- 2 Kings 20:7, Luke 10:54-55, 1 Timothy 5:23 Christians should ensure children have access to medical care where needed.
- Acts 5:15-16 Mark 2:5-11 Miracles of healing are part and parcel of health God has provided.

Islam deals with the very personal life of men in such a way as to ensure purity and cleanliness; to give a healthy diet and show him the proper manner of clothing, behavior, adornment sports and so on.

To maintain a pure heart and sound mind; to nourish an aspiring soul and a clean healthy body, special attention should be given to the diet on which man lives and the children's diet should not be compromised.

That's why the Qur'an says:

Mothers shall give suck to their off springs for two years, this is to ensure the health of a child is not neglected as sucking has all it contains to ensure the wellbeing of a child and its growth in a healthy manner.



**Main Scripture: Q2:233**

***“The mothers shall give suck to their offspring for two whole years”***

**Hadith 1692**

***“It is a grave sin for one to neglect a person whom he is responsible for sustaining”***

**Additional References: Q16:58. Q16:69, Q2:195**

## CHILDREN'S RIGHT TO WELLBEING



The wellbeing of children is of vital importance for their growth and development. A child needs a peaceful and healthy environment to mature into a responsible adult. They must live a happy and healthy life. Violence in the home destroys their emotional and mental peace; hunger and starvation deprives of good health; rejection and negligence erodes their self-confidence. Many children in Malawi live in homes where conditions are not suitable for proper growth and development. Many households, especially in the rural communities are food insecure.

God says He knows and cares for children even before their birth (Jer.1:5 NIV). A special divine love for children shines forth in God's love for orphans and Jesus' love for children. Jesus pointed to a child's humble and unhesitating response of trust as a necessary quality for entering the kingdom of God. God desires wellbeing in the life of children in the full spectrum of life; spiritual, physical, mental.

Children are born with the sin nature in them and at some point in their young life have to accept Christ's atoning death on the cross as God's gift for them to be reconciled to their Maker. This becomes the fundamental step to wellbeing God desires. The physical and mental wellbeing are cared for by the structures God has put in place. These are the family, community, the church, health institutions and other networks concerned with the welfare of children.

Parents, and particularly fathers, are responsible for the education of their children. The church has a duty to ensure that children have access to education but most importantly should take a supporting role, after the family, in making sure that children are right with God and are taught the biblical lifestyle God expects them to live so that they will live successful lives.

### Scriptures

- Romans 3:23 Everyone (including children) has sinned.
- Romans 3:24-25 Everyone can be redeemed and justified by Christ's atoning death on the cross and his resurrection.
- John 3:16 God loves the world (children too) that whoever believes in Christ will not perish.
- John 1:12 All who believed in Christ and his substitutionary death, God gave them the right to be called children of God...born of God.
- Hebrews 11:23 Well protected children are blessing to the family and society.

Islam established a legal framework and embodies a code of ethics, designed to protect the rights of an individual including his or her right to live in a secure society. For children, security is of the utmost importance. The rights of a child's wellbeing begin even before birth; in fact they begin before conception.

The Qur'an and the authentic traditions of Prophet Muhammad (PBUH) make it clear that two people should not enter into a marriage carelessly. A great deal of thought and preparation is necessary before man and a woman commit to each other to the family that may result from their union. In this regard, if a marriage is built on a good foundation, the children's wellbeing can be ensured.

Throughout Islamic history and Islamic literature, the rights and responsibility pertaining to children wellbeing are clear-cut. Parents, families and communities have certain responsibilities towards children. Many of them are obligatory and on the Day of Judgment, God will question adults about the treatment of their children.



Main Scripture Q4:7-11

***“Children have priority to the inheritance of their parents”***

**Additional References Q6:151**

## **CHILDREN'S RIGHT TO INFORMATION AND FREE ASSOCIATION**



Right to information and free association are human rights for citizens of all nations and are enshrined in the constitutions of a number of countries including Malawi. Children need to access information that develops their mental and social capacities as they grow. Information on diseases such as HIV/AIDS is vital. As human being, children need to have free association as this forms part of their learning and development process.

God has put in humanity a quest for information, truth and a desire to know the unknown. This thirsting can be in the form of a restlessness or a sense of emptiness and this vacuum can only be filled when we come to the saving knowledge of Christ. Children are more vociferous in their quest and have less boundaries. As children enter adolescence, they begin to ask more profound questions about themselves: who they are, where they are destined to, what they shall become and scores of questions for which they eagerly look for answers.

No wonder Jesus Himself could be found, at that young age, in the temple with the teachers of the law, asking and listening to them. Man was created different from animals which move and behave by instinct. Man likes to explore, to discover, to search out, to invent and in short to subdue the earth. At a young age, children begin to show these traits. In addition, mankind is gregarious by nature: mankind likes to belong to a group.

The church has the duty to make sure children receive the right kind of information coated in the Christian belief and love of God as well as His plan for every child. In addition, the church should provide the platform for the formation of small and larger groups for like-minded people. Thus, children's groups, youth groups, men's and women's groups are some of the groups that have a great part in satisfying individual needs.

- **Luke 2:46-47 (KJV)** And it came to pass, that after three days they found him in the temple, sitting in the midst of the doctors, both hearing them, and asking them questions.
- **Proverbs 22:6** (The New Living Translation) Teach your children to choose the right path, and when they are older, they will remain upon it.
- **Psalms 1:1 (KJV)** Blessed is the man that walketh not in the counsel of the ungodly, or standeth in the way of sinners, nor sitteth in the seat of the scornful.
- **Proverbs 1:4** For giving prudence to the simple, knowledge and discretion to the young.
- **Matthew 19:13-14; Mark 10:13-15 (NIV)** Then the little children were brought to Jesus for Him to place his hands on them and pray for them. But the disciples rebuked those who brought them. Jesus said, "Let the little children come to me, and do not hinder them, for the kingdom of heaven belongs to such as these".
- **Genesis 22:7 (NIV)** Isaac spoke up and said to his father Abraham, "Father...The fire and wood are here, but where is the lamb for the burnt offering".
- **Genesis 22:7** Isaac spoke up and said to his father Abraham, "Father...The fire and wood are here , but where is the lamb for the burnt offering?".

The right to information exists in every person in Islam. But it should be noted that Islam sanctions every Muslim to seek and acquire only such information which is good and that which does not contaminate or corrupt one's mind.

In that regard, Islam has sanctioned every parent towards proper upbringing of the children.

The prophet (PBUH) is reported to have said:

**"Order your children at the age of seven" (Abu-Dawood, At-Tirmidh)**

This hadith shows that it is obligatory to parents and elders to pass on information to the children. In this case it signifies that children have the right to information.

Children in Islam has the right to freedom of association just like elders should have limitations in their associations, the same applies to children.

It should be noted that while children have the right to associate freely, they should be taught to avoid all groups that can corrupt their morals.

On this the Prophet (PBUH) said **“The person is following his company behavior, so every one must watch his company”**.

This in context implies that every person has the right to freedom of association, on the strict condition that such association should be a good one.



Main Scripture: Hadith/Imam Ali bin AbiTalib Said

***“Teach your children things you did not learn when you were their age for they have been created for a time that is different from your time”.***

**Additional Reference: BuharVol 10p 91**

## CHILDREN'S RIGHT TO A NAME



The right to identity includes the right of every child to have a name which he or she can be known or identified; a name that they can respond to and are proud of. This helps children to also respect other people's names and identity.

Traditions concerning names vary considerably from one culture to another. In most cultures, a person has at least two names. In many if not most cultures, one of the names a person bears indicates the identity of the person's father or mother. Names have religious significance in many societies. They may indicate a person's social class or marriage status. In some societies, a person generally uses the same name for his or her entire life; in others, the name a person uses may change as a result of marriage, adoption or other changes in status in the community.

God attaches great significance to names. Names give identity to the owner. Children have a right to having names to show that they are not just some nameless baggage brought into the world. A name is the person and the person is the name. Whenever God called people into particular service, He called them by name. God would change some names to suit what He purposed the person to become. At other times individuals would cry out to God to change their names. Names identify the person so it is important firstly that children are given a name. In the Old Testament names associated people with their clan or even their belief system thus we had Judah, Israel, Philistine, Ammonites and Jebusites among others.

### Scriptures

- **Genesis 2:19 , Genesis 41:45, 2 Kings 25:34, Daniel 1:7** Giving a name inspired authority.
- **Genesis 4:1, 25, Genesis 29:31-35, Genesis 30:6-24** Names could express a mother's feelings at birth.
- **Genesis 35:16-18, Genesis 41:51-52** Show the fathers feelings at birth.
- **Genesis 17:17-19, 1 Samuel 1:20** Circumstances of the child's conception.
- **Luke 1:13-60, Matthew 1:21** A name given by God.
- **Genesis 17:5-6, John 1:42, Isaiah 62:2, Revelations 2:17** Names were changed to signify a new role.
- **Acts 11:26, John 10:3-4, Matthew 10:52, Revelations 3:5** Names showed you belonged to a group.
- **Luke 10:20, Revelations 20:15** Names are entered in the book of life.

Naming a child is the responsibility of the parents which is stated in many hadith the Messenger of Allah- (Peace Be Upon Him) said: "the right of a child is for the father or mother to select for him a good name, teach him writing and to wed him when he has matured".

The prophet used to change ugly names in the Jahiliya to nice names. The choice of a good name is a prominent mark of indirect education for every person. If good then good and if evil then evil. This is in addition to the psychological effects of good or bad names of a child explained by scholars as it relates to the relationship with his peers and the members of his society.



Main Scripture: Hadith

***"You will be called by the names of your father on the day of resurrection therefore give yourselves and your children nice names"***

**Additional References: Q33:4-5**

## CHILDREN'S RIGHT TO IDENTITY AND REGISTRATION



Birth registration is the official recording of the birth of a child by some administrative level of the State and coordinated by a particular branch of government. It is a permanent and official record of a child's existence. The duty of countries to register the birth of every child has been recognized for more than a quarter of a century, and has been universally recognized for more than a decade. Nevertheless, it is estimated that some 50 million births go unregistered each year. In other words, fewer than 60 per cent of the children born each year start life with the benefit of this fundamental right.

In the developed world, identification and registration of births are systematic but this process is not well developed in third world nations. In the latter only a fraction of citizens are issued identity cards and birth certificates. In Malawi the national identification system is being established and will ensure that citizens and other residents are properly identified. As at now, the children who form a large percentage of the population do not have any form of identification, except for their names. Of a total population of 6,793,986 children in Malawi only 1,087,038 (16%) have official birth certificates, the rest especially those born in rural and remote communities are not registered.

Birth registration is essential to protect the child's right to identity and legal personality, as well as other rights. For younger children, birth records help safeguard against trafficking and abduction, and are often required for access to school and sometimes other basic services such as health care. For older children, proof of age is essential to ensure that they are not prematurely deprived of the protection that the law entitles them to, in areas such as marriage, sexual exploitation, work, recruitment into the armed forces and criminal justice. Ideally, birth registration is part of an effective civil registration system that acknowledges the existence of the person before the law, establishes the child's family ties and tracks the major events of an individual's life, from birth to marriage and death. The registration usually includes:

- The place and date of birth
- The name and sex of the child
- The name, address and nationality of both parents

In some countries, information concerning the health of the child (for example, birth weight or immunization status) is also recorded. Personal identifying marks such as footprints are registered in some countries as a precaution against sale, trafficking, irregular adoption or immigration fraud.

Birth registration is a human right, and can strengthen children's access to legal protection and basic social services while also improving national data, planning, policy and budgets. It supports the implementation of national legislation on minimum ages, including for child labour, child recruitment and child marriage, and is valuable for tracing efforts when children are separated from their parents. By documenting the relationship between the child, his or her parents and place of birth, registration facilitates the acquisition of nationality by birth or descent, helping to prevent statelessness.

**Obstacles to birth registration include:**

- Limited distribution of administrative systems, especially in rural areas
- Administrative requirements (for example, that the parent present identity documents)
- Collapse of governmental infrastructures due to conflict
- Discrimination against ethnic or religious minorities or refugee populations
- Parental lack of appreciation of the value or importance of birth registration
- The use of official languages only in birth registration forms and procedures

Since God knows each of us by name, and the hairs of our head are counted and known it means every person is important and of value. In the Old Testament, the scriptures record individuals as well as their origin. The book of Matthew begins with the genealogy of Christ. Apostle Paul reminds young Timothy of the faith he has which was in his grandmother and also in his mother.

**Scriptures**

- Numbers 3:40 (New Living Translation) Then the Lord said to Moses, "Now count all the first born sons in Israel who are one month old or older, and register each name".
- Numbers 1:2 (NIV) Take a census of the whole Israelite community by their clans and families listing every man by name, one by one.
- Luke 2:27-31(NIV) Moved by the Spirit, he went into the temple courts. When the parents brought in the child Jesus to do for him what the custom of the Law required. Simon took him in his arms and praised God.
- Luke 2:1 (NIV) In those days Caesar Augustus issued a decree that a census should be taken of the entire Roman world.
- Luke 2:4 (NIV) So Joseph also went up from the town of Nazareth in Galilee to Judea, to Bethlehem the town of David, because he belonged to the house and line of David.
- Luke 2:5 (NIV) He went there to register with Mary, who was pledged to be married to him and was expecting a child.



Jeremiah 1:5 (New Living Translation)

***“I knew you before I formed you in your mother’s womb. Before you were born I set you apart and appointed you as my spokesman to the world.”***

Islam clearly says once a child is conceived, he/she has the right to life and the Qur’an makes it very clear that all life is sacred. It is never permissible to terminate a pregnancy because one fears being unable to financially support a child or another child. It is God who is the Provider and Sustainer of all life.



Qur’an 6:151

***“When making a decision to terminate pregnancy it is important to remember that having a child is a blessing from God and all such blessings should be accepted with joy and gratitude”***

If a man and a woman (couple) have both dedicated their lives to worship and pleasing their Creator then the rights of any children they may have are automatically guaranteed. Worshipping God means obeying His commandments and His commandments include securing the rights of a child. By marrying rather than having an illicit relationship the couple has already begun to secure the rights of their future children.

Islam states that a child has the right to know and understand his or her lineage. Birth-related records should be kept for easy identification of the child when he is growing up.



Main Scripture: Hadith

***“The right of a child for parents is to select for him a good name and have records of his birth”***

## IDENTIFICATION - THE RIGHT TO A NAME, FAMILY AND NATIONALITY



Article 8 of the Convention on the Rights of Children indicates that the right to name, nationality and family relations form part of the right to identity, and that “where a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.”

### NAME

The right to identity includes the right of every child to have a name, to know his or her parents and nationality. All these three elements form the basis for proper identity. Traditions concerning names vary considerably from one culture to another. In most cultures, a person has at least two names. In many if not most cultures, one of the names a person bears indicates the identity of the person’s father or mother. Names have religious significance in many societies. They may indicate a person’s social class or marriage status. In some societies, a person generally uses the same name for his or her entire life; in others, the name a person uses may change as a result of marriage, adoption or other changes in status in the community.

#### Issues concerning the right to a name include:

- Laws that impose limits on names that may be used, which deny the rights of religious or ethnic minorities to use names that form part of their culture.
- Laws that require certain persons to use names that foster social stigma, such as names that imply that an individual was born out of wedlock or that paternity is unknown.
- Laws that discriminate on the basis of sex; the UN Special Rapporteur on the sale of children, child prostitution and child pornography reported that in one country, a single mother who decides to keep her child cannot give her own surname to the child, unless the male members of the family consent.

## **FAMILY RELATIONS**

The right to identity includes the right of every child to know his or her parents, as far as possible. This right can be threatened in various ways, including:

- Failure to register the birth of a child.
- Failure to include in the registration all available information concerning a child's maternity or paternity.
- Procedures that make it difficult or impossible for single mothers to obtain recognition of the paternity of a child.
- Abandonment, informal or illegal adoption and adoption procedures that protect the identity of a child's biological parents.
- Theft, sale or trafficking of children.
- Separation of children from their families as a result of war, natural disasters or displacement. In some countries, paternity testing is illegal. In others, a single mother is not allowed to identify the father of her child when registering the birth, unless the father admits paternity or paternity has been judicially recognized.

## **NATIONALITY**

In general, the nationality to which a person is entitled depends either on the nationality of his or her parents or on his or her place of birth. Persons who have no nationality are 'stateless'. Statistics concerning the number of stateless children are not available, but the UNHCR estimates that there may be as many as 9 million stateless persons throughout the world. One of the main reasons some children are stateless is that international law does not clearly define the obligations of States with regard to the right to acquire a nationality.

Other reasons include:

- Failure to register the birth of children, or failure to register all pertinent information concerning the identity, residence, place of birth and nationality of the child's parents.
- Discriminatory refusal to apply legislation concerning nationality to members of ethnic minorities or refugees, or refusal to register their births or provide the Identity documentation to which they are entitled.
- Deprivation of nationality for political reasons, or denial of travel or identity.
- Refuse to provide documents to political opponents and their families.

### **Legal framework on registration and identity**

Both the CRC and the African Charter on the Rights and Welfare of the Child provides adequate legal framework for both registration and identity.

Article 7.1 on CRC provides that “the child shall be registered immediately after birth”. Article 6.2 in the African Charter on the Rights and welfare of the Child similarly provides that “every child shall be registered immediately after birth”.

Article 8 of the CRC indicates that the right to name, nationality and family relations form part of the right to identity, and that “[w]here a child is illegally deprived of some or all of the elements of his or her identity, States Parties shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

## SERMON NOTES

### Theme: Give them their rights

Children’s rights are entitlements that all children should have for their growth and wellbeing regardless of their age, sex, race, nationality, religion, political beliefs and language. The Bible gives us a basis for defining rights of children:

- Jeremiah 1:5 God forms us in our mother’s womb.
- Proverbs 22:6 Parents are to train children to choose wisely.
- Deuteronomy 10:18 God defends the rights of children.
- Jeremiah 31:29 Children should not be made to suffer for the sins of their fathers.
- Hebrews 11:23 Well protected children are a blessing to the family and society.
- 1 Samuel 3:19 God has plans and purpose for every child.

Islam pays great attention and special care to the well-being of children. It places upon parents the responsibility of providing children with some education guiding them to the right path and illuminating the way for them to help them in this great task and important function. Islam underlined the responsibility of the mother in this regard assigned to her the greatest role in life namely the education of children and awarded her the highest medal, making paradise under the feet of mothers.



Main Scripture: Hadith

***“The best gift which a father gives his children is that of goods, education and manners”***

Hadith 224

***“The seeking of knowledge is obligatory upon every Muslim male and female”***

# **CHAPTER 10**

## **THE CHILD'S ROLE AND RESPONSIBILITY**



In as much as the parents and guardians have a greater responsibility in raising their children in safe and secure environment, children are also expected to play a significant role in their growth, development and their general well-being. Many children have gone astray because of wrong association and lack of respect for parents, guardians and other adults. Because of lack of respect for adults, many have perished.

Children have the responsibility to know the difference between 'good touch' and 'bad touch.' They need to understand that their body is their own and that it doesn't 'belong' to anyone else. They also have a responsibility to understand what is a 'good secret' and a 'bad secret' and when it is alright to pass on a secret. They also need to know what behavior to expect from adults and also from each other and how they themselves should treat others. They also need to know how and when to speak out if they feel uncomfortable and who to turn to if they feel uncomfortable.

There are a number of areas where children must be taught and empowered to be responsible for their own protection:

- **Creation of boundaries:** Children have the responsibility to know the difference between 'good touch' and 'bad touch.' They need to understand that their body is their own and that it doesn't 'belong' to anyone else. They also have a responsibility to understand what is a 'good secret' and a 'bad secret' and when it is alright to pass on a secret. They also need to know what behavior to expect from adults and also from each other and how they themselves should treat others. They also need to know how and when to speak out if they feel uncomfortable and who to turn to if they feel uncomfortable.
- **Respect for individuality:** Help children to take pride in their own individuality. Teach them the importance of respecting others as individuals and to recognise diversity as something that makes everyone special.
- **Self-assertiveness and expressing needs and feelings:** Teach children to recognise and accept their feelings, to speak out about their needs and to reject unjustified and inappropriate proposals.
- **Problem-solving and decision-making skills:** Encourage using these skills in everyday life when confronted with a challenging situation. Avoid doing things for children or telling them what to do.
- **Self-respect and respect from others:** Encourage children to respect themselves and to expect respect from others. Help them to set clear boundaries for unacceptable behaviour; talk about what to do if someone crosses these boundaries.
- **Respect and empathy for others:** Teaching children to respect and empathise with others is an important part of becoming responsible individuals. Clear rules should be set with regard to acceptable behaviour towards others both at home and at school, with clear limits and boundaries. When rules are broken and children have not paid attention to the consequences of their behaviour, adults should be consistent in their reactions. Children should be active participants in setting up the rules and defining the consequences when broken.

While agitating for the rights of children, it is important that we do not lose sight of the corresponding responsibilities of those rights. In both the Old Testament and the New Testament, children had certain

roles and responsibilities as part of both the family and the community at large. The roles and responsibilities were outlined by family and community according to God's Law. It was the primary duty of the family to see that children contributed to the family and also to the society. The children's main role was obedience. Disobedience to father and mother resulted in severe sanctions like death by stoning.

An example of responsibility is when Joseph's brothers took the flocks out to graze. Joseph then had the task to run small errands at home as he was too young to go out and stay for extended periods away from home. David also stayed at home while the others went out to war. This explains why his brothers taunted him for coming to the battle-front. Everyone had a specific role and responsibility to ensure the continued survival of the family and society. The teachers of the law and even his parents were surprised to see Jesus asking and listening to the teachers of the law. To them, he appeared out of place.

### Scriptures

- Deuteronomy 5:16 (NIV) Honour your father and mother, as the Lord your God has commanded you, so that you may live long and that it may go well with you in the land the Lord your God is giving you.
- Deuteronomy 21:18 (NIV) If a man has a stubborn and rebellious son who does not obey his father and mother and will not listen to them when they discipline him his father and mother shall take hold of him and bring him to the elders at the gate of this town...Then all the men of that town shall stone him to death.
- Proverbs 19:18 (NIV) Discipline your son, for in that there is hope.



Proverbs 29:15 (NIV)

***“The rod of correction imparts wisdom, but a child left to himself disgraces his mother”***

The first role and responsibility of the child is first to learn to worship Allah Almighty since this is the main purpose of the creation of man.

“I have only created Jinn's and men, that they may serve me” AdhDharint 45 and because worship is the practical realization of the Islamic faith and the proof of its truthfulness and entrenchment in the heart.

Worship has an important social influence as it solidifies social bonds such as cooperation, solidarity, love and compassion.

Worship also shields youth from places of evil that are frequented by most young people where they waste their time and strength. On the other hand an upright child would seek to please his Lord, and that is why the Messenger (Peace Be Upon Him) put him among the special people when he said, Seven types of people Allah will place under His shade on the Day when there will be no shade except His shade.

- A just Imam
- A child or youth who was raised on the worship of Allah
- A man whose intent has clung to the mosque, two men who loved one another for the sake of Allah.



Main Scripture: Buhar Hadith

***“Whoever does not recognize the right of our elders and that of children is not among us”***

**Addition References: Q6:15**

## SERMON NOTES

In both the Old Testament and the New Testament, children had certain roles and responsibilities as part of both the family and the community at large. The roles and responsibilities were outlined by family and community according to God's Law.

- It was the primary duty of the family to see that children contributed to the family and also to the society.
- The children's main role was obedience. Disobedience to father and mother resulted in severe sanctions like death by stoning.
- An example of responsibility is when Joseph's brothers took the flocks out to graze. Joseph then had the task to run small errands at home as he was too young to go out and stay for extended periods away from home.

### Scriptures



Deuteronomy 5:16 (NIV)

***"Honour your father and mother, as the Lord your God has commanded you, so that you may live long and that it may go well with you in the land the Lord your God is giving you."***

Deuteronomy 21:18 (NIV)

***"If a man has a stubborn and rebellious son who does not obey his father and mother and will not listen to them when they discipline him his father and mother shall take hold of him and bring him to the elders at the gate of this town... Then all the men of that town shall stone him to death."***

Proverbs 19:18 (NIV)

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Main Scripture: Buhar Hadith

***"Whoever does not recognize the right of our elders and that of children is not among us"***

**Addition References: Q6:15**

# CHAPTER 11

## FROM COMMITMENT TO ACTION



The realization of child protection will remain wishful thinking unless specific practical measures are taken by faith communities to achieve that goal. The following guidelines will go a long way to achieve this:

1. Creating greater awareness in their communities about the impact of all forms of violence against children, and work actively to change attitudes and practices that perpetuate violence in homes, families, institutions and communities. Perpetrators within the ranks of the religious structures should be exposed in order to set an example to the rest of the community.
2. Promoting the child as a person with rights and dignity, using religious texts to provide good examples that can help adults to stop using violence in dealing with children. Scriptures that are quoted out of context to justify continued child abuse should be clarified.
3. Teaching and training children, which involves discipline and helping children understand their responsibilities.
4. Educating and training parents, teachers, religious leaders and others who work with children to find non-violent forms of discipline and education that will ensure their proper upbringing and protect them from violent actions.
5. Developing curricula to use in theological training and in parental education to raise awareness about child rights and ways to eliminate the use of violence.
6. Commitment to inter-religious cooperation to address violence and make use of the synergies among religious communities to promote methodologies, experiences and practices in preventing violence against children.
7. Regular engagement with governments to adopt legislation that guarantees the full rights of children, consistent with the Convention on the Rights of the Child and other international and regional agreements.
8. Maximization of special days, such as the International Day of the Child, to bring public and media attention to child rights issues, particularly violence against children.

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