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Speaking Up for the Little Ones: Enforcing Children’s Rights

Children’s rights are a specific aspect of human rights, focusing on all persons eighteen and under. Children are the unheard people group in our world today. Too little to protect themselves and vulnerable to those who wish to exploit them, children have no voice of their own. Often underprovided for and defenseless, children are abused and mistreated frequently. In many cases denied their basic rights as members of the human race, children are at risk. From the Muslim girl in Iraq who is denied an education on the basis of her gender to the abused toddler in an alcoholic household, children’s rights are repeatedly trampled underfoot. Children are taken advantage of time and again, especially in the Third World. These children are the main focus of this article, for the most children’s rights violations occur in these nations.

While many people will agree that there are numerous cases of child’s rights infringements, they do not find it so easy to agree on the best method for remedying these violations. Human rights issues are delicate issues, considered by some nations to be an inherent right and by others to be optional. Basic human rights are hard enough to handle, but by narrowing the scope even further to specifically focus on the child only increases the difficulties. Various groups and people have different ideas on the implementation and enforcement of children’s rights. They all are seeking the same goal; they simply have different approaches. What, then, is the best way of addressing children’s rights violations in the world?

Needless to say, there are many possible solutions to the complex issue of children’s rights. Hans van de Glind and Joost Kooijmans are two men who have a great deal of experience in the field of child rights. In their article entitled “Modern Day Child
Slavery,” they discuss the problem of child slavery, what causes it, and the strategies for eliminating it. Glind and Kooijmans analyze the history of slavery in the world, with special emphasis on the child slave. They believe that through joint effort, child slavery can be defeated. The authors describe slavery as being “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” (152). According to the authors, there are approximately 6 million children in the world who fall under this category, with many more suffering under equally demoralizing and dangerous conditions in the world (156-7). Some children are involved in the sex trade, drug traffic, and the military. The definition of child slavery has been broadened to include these children as well-children who may not be in strict slavery but are considered to be under slave practices (152-3).

Glind and Kooijmans believe that the international community must be much more aggressive when it comes to addressing these problems. They believe that there are critical areas which need addressing. One of these areas is the laws. The laws need to be much more explicit in punishing child traffickers, and those laws need to be enforced rigorously. The authors maintain that it is crucial for the laws to be more comprehensive in order to facilitate crackdowns on child traffickers and similar violators. There either needs to be new laws implemented or a more rigorous enforcement of the preexisting ones in order to prohibit the exploitation of children. They argue for increased cooperation between the various preexisting agencies to help seal possible legal cracks that child traffickers may use to their advantage. This is the legal aspect of preventing
child rights violations. The authors also believe that cooperation must be urged between governmental bodies and the community itself. The cultural aspects must be addressed. The authors believe that more data and information must be gathered in order to better combat child rights violations (160-1). Also, a social outcry must be raised. This can be achieved through engaging the community. Communities must be urged to not accept child slavery as a normal institution. The community must be mobilized and made aware of the problems and implications of child slavery. Businesses and trade unions need to be informed of the negative impact that child slavery has on their success. Businesses should be encouraged to use products that are not manufactured by child slave labor. Workers must also realize that products produced by a slave work force undercut their market. Going even farther to reach the individual, the child himself must be informed of his or her rights in order that they might be empowered to act upon them. Glind and Kooijmans hold that child slaves tend to come from socially disadvantaged people groups. These children are often forbidden access to services that the government provides to their other citizens (162-3).

These problems that Glind and Kooijmans refer to form the basis of all that needs addressing. They present the problems of children worldwide while offering one plan for community and government involvement. Another author has another idea for more effectively enforcing child rights. In his article entitled “Child Rights Organizations and Religious Communities: Powerful Partnerships for Children”, Stephen Hanmer advocates tapping into the religious community’s resources in the fight for children’s rights.
Hanmer believes that the cooperation of religious groups and international outreaches such as the UN is vital to the cause of children’s rights. Drawing on his experience as coordinator for UNICEF and religious outreaches, he promotes their cooperation as fundamental to the progress of human rights. As he says, “With their extraordinary moral authority and power, religious communities are able to influence thinking, foster dialogue, and set priorities for members of their communities” (452). Reaching out to the religious groups in the community provides the international community a fresh angle and a new venue through which to influence the state of affairs for children.

Hanmer believes that partnering with religious communities only strengthens the position of children’s rights. Hanmer argues that they share similar goals and that they can cooperate together to realize those goals (453). However, Hanmer states that it goes beyond simple cooperation. Sometimes, the religious communities are able to dispel religious myths that affect children. For example, Hanmer relates the story of how Muslim clergy publicly denounced the use of corporal punishment in the home and classroom and stated that no such basis for corporal punishment was found in the Koran. This furthered the cause of human rights in the world according to the UN prerogative in a way that the UN could not have achieved themselves. Those in the religious world were able to achieve what international agencies alone could not do (455). Hanmer believes that the successes in this arena could be applied to other areas as well, using the same tactics. Hanmer details other areas in which the religious communities could assist the international community in the field of child rights. Religious communities are vital,
Hanmer says, in health outreaches and in advocating for girls to attend school. (455-6)
However, Hanmer argues that there can be some challenges to working with religious
groups. At times, he says, religious communities promote destructive habits and actions
that threaten the child rather than assist them. In these cases, Hanmer believes it is best
for the international community to work through the religious leaders first in order to
impact the community (457). Together, Hanmer believes that it is possible to tap into a
vast ocean of resources and to achieve a great deal of good for children (459-60).

Banding humans together in a common cause is essential for progress. However,
Kenyan Professor Michael Wabwile thinks that countries need economic aid so that they
can help themselves. He believes in the necessity of enabling a country to help its own
people. Wabwile argues in his article entitled “Implementing the Social and Economic
Rights of Children in Developing Countries: The Place of International Assistance and
Cooperation” for the need of economic aid to be given to countries in order to boost their
human rights efforts. Wabwile argues that economic progress and human rights successes
go hand in hand. He maintains that if struggling countries are given aid in developing
their financial and industrial standing, then human rights will begin to be held in higher
honor. The countries will have more resources with which to deal with human rights
violators and human rights will have a better chance of being upheld (356). He argues
that most of population of the world is living on only a small fraction of what the rest of
the world is living on, and that this inequality fosters a cycle of poverty and reliance on
foreign aid that is burdensome to the country itself. This habit of depending on foreign
investment fosters crippling debt and hampers the country’s improvement (359).

Wabwile argues that in order for the individual countries to improve in their protection of human rights, their economies must improve. He refers to a study done on the enrollment and dropout rates in various countries. The countries that were the poorest had the least amount of children in schools. The countries who lack adequate funds for education must charge the students fees for their education, directly impacting the child’s ability to access learning. The fees are compulsory, as the government lacks the monetary resources to offer it for free. Wabwile uses this evidence to buttress his argument that the economic state of the country directly affects the human rights state of the country (364). Wabwile believes further that it is a UN obligation under the Protocol for countries in the position to lend financial aid to do so. The UN requires countries to take steps to advance the cause of human rights worldwide (381). It is while working together, Wabwile contends, that there is hope for improvement in the current state of human rights in the world. It takes the cooperation of the individual country overseeing their own affairs along with the international community’s assistance in the financial matters. To quote Wabwile, “the regimes of international protection of children’s economic and social rights allocate to states parties both internal obligations to secure realisation of these rights within the jurisdiction of each state party and also external obligations of state parties to contribute to the universal implementation of these rights.” Together, he believes that human rights goals can be achieved (382).

However, all of the manpower and monetary aid in the world cannot truly effect
change if the people themselves are not receptive of it. In his article “Discourses of Education, Protection, and Child Labor: Case Studies of Benin, Namibia and Swaziland”, Bjorn Harald Nordveit forms a unique argument on the rights of the child mostly with regards to education. Drawing from his observations in Africa, he believes the gap between the state of child rights affairs today and the idealized state of affairs is a cultural issue. In a culture where the fight for survival is all-consuming, children are expected to work and to contribute to the family finances. Instead of adapting to this, Nordveit says that just the opposite is happening. According to Nordveit, “educational authorities often fail to adapt to such contexts. Instead of setting up schools that could become centers of care and protection, they supply a curriculum based on academic rationalism, with little relevance to the community and lives of most children” (699). This, Nordveit believes, is possibly a contributing factor to the depressingly high drop-out rates in schools (699-700).

While various committees may approve and spearhead well-intended programs, Nordveit believes that they lack a key component to success—the input of the community itself (701). International communities have defined education as being a good thing, while condemning work as being bad, calling it child labor. As there are negative connotations in the word “child labor”, education is viewed as being an option out, instead of being seen as a tool that can be utilized to advance oneself. Coupled with this and the definition of childhood as a right, there is distinct gap between that which is
Nordveit maintains that it is very difficult to ensure child rights simply because of the culture gap. Different cultures have their own views on coming-of-age that do not necessarily mesh with the Western ideology that the UN’s CRC and similar institutions are based on. Also, there is the general acceptance of child work in the culture that counters efforts to eradicate it. Some countries consider it to be unavoidable or normal. Nordveit stated that it is often only work in the sex trade that is condemned (706-7). This attitude of acceptance of child labor increases the difficulty to make progress in the community. It does not help matters that the community itself sees little benefits to a formal education. As Nordveit states, “Locally, education is seen as having a concrete value only insomuch as its aims are connected to the community” (708). Therefore, Nordveit believes that the educational system must be made relevant to the community. The citizens must be able to sense a direct benefit from receiving an education in order to take action to ensure that their children are receiving one (711).

These cultural gaps exist not only in Africa, but in America as well. Perhaps in America there is not exactly an opposition to formal education as in Africa, but there are other gaps of understanding instead. For instance, few Americans have ever read the CRC in its entirety or have examined it for themselves. They believe what they have heard about it and accepted it as truth, be it so or not. Also, there are potential ideological clashes in America. The whole issue of CRC ratification has polarized the populace of...
America, as well as affected the press. This is revealed in the editorials of various American newspapers.

In her article entitled “Rights of a Child is Parental Issue”, Marybeth Hicks of *The Washington Post* discusses the pending ratification of the Convention on the Rights of the Child (CRC). She discusses the potentially negative side effects of such a seemingly good treaty and the impact it would have on parental rights. According to Hicks, the CRC would make it illegal for you to compel your lazy teen to get up and go to church or to use corporal discipline for your toddler. She quoted a handbook guide that Scotland had assembled to assist young people in understanding their rights under the CRC. This handbook tells children that they have the right, under the CRC, to be in their families as long as it is the best thing for them. Hicks then asks who defines what the “right thing” is. The answer is that the government decides matters such as these, says Hicks. She goes on to say that the CRC seems logical in third world countries where human rights violations are commonplace, but not in the US, where it is a wonderful place to be a child. Hicks then urges her readers to call their senators and pressure them to oppose the ratification of the CRC (Hicks).

Dennis Jett of *The Christian Science Monitor*, though, is far from agreeing with Hicks. In his article entitled “Ratify the Global Ban on Child Soldiers”, Jett criticizes the Bush administration for its lack of work in the field of human rights. According to Jett, the Bush administration failed to act decisively in order to combat the problem of child soldiers. Jett believes that the Bush administration had a unique opportunity to advance
the cause of child soldiers when a treaty came before the Senate for ratification. Originally sent to President Clinton, who signed it and passed it on to the Senate, the bill was to have forbidden people under the age of 18 from participating in battles. Here Jett, who seems to have a partisan bias, goes on to say, “The Foreign Relations Committee under Jesse Helms (R) saw no particular reason to act on it. With Sen. Joseph Biden (D) now chairing the committee, the measure should get more-favorable consideration.” Jett accuses the conservatives and the Pentagon as being two forces opposed to the treaty’s ratification. Since the protocol is related to the UN’s CRC, Jett believes that conservatives are worried about the possible effect it might have on parental rights. However, he skirts the issue of parental rights by saying that signing the treaty itself would not subjugate American parents to the CRC, but would instead serve to advance the cause of child soldiers. Finally, as for the Pentagon’s objections about the protocol not allowing recruitment of 17 year olds, Jett says that it wouldn’t even affect that. After all, he says, the treaty just affects children in actual combat. With all this said, Jett wants to see if President Bush will step up and truly advance the cause of human rights in the world by urging the Senate’s ratification of the protocol (Jett).

Carol Bellamy agrees with Jett in her *Huffington Post* article entitled “Join the World in Embracing Children’s Rights”. Bellamy is embarrassed by the US’s stance on children’s rights. She echoes President Obama’s annoyance over how the US and Somalia are the only countries in the world that have yet to ratify the CRC. She sees the US government’s other human rights efforts as being seen as hypocrisy, in light of their
refusal to ratify the CRC. She blames this hypocrisy on parents who are afraid of the CRC’s potential power. As she says, “US ratification has been derailed by critics who contend that the Convention will somehow damage the American family and undermine the rights of parents.” She also addresses the beliefs of those who think the CRC isn’t needed in the US. She believes that there are plenty of child’s rights violations in the US that need to be addressed. Bellamy argues that the CRC would remedy that, then points to other countries where the CRC has had positive effects. That is why she believes that the CRC should be ratified by the US so that progress can be made and the US’s position on human rights might be strengthened (Bellamy).

No matter what these authors state, they can only guess at the true impact that the CRC will have on the U.S. These editors only have a perspective of the CRC of one on the outside looking in. Being American they have not seen the CRC lived out daily in their country. They can only speculate. The editor of the Japan Times, a newspaper in a country that has adopted the CRC, gives an overview of the worldwide accomplishments and remaining challenges for the CRC. In this article entitled “Children’s Rights Treaty Turns 20”, the editor of the Japan Times summarizes the successes of the CRC over the last twenty years. This author believes that the CRC treaty has made some important contributions over the years. The editor highlights some accomplishments such as the decreased number of underweight children, more education available for children, and an increased rate of immunizations. The author also discusses the problems that are left to solve. Africa presents a major hurdle to be crossed. Thousands of children are still dying
every day and an even greater number are classified as child laborers. The author states that while the efforts of the UN under the CRC have definitely improved matters, these grim facts still remain. The author then offers some thoughts for improving the state of affairs for children in Japan itself. The author would like to see the Japanese government taking steps to outlaw the ownership of child pornography. As the author says, “Sexual exploitation is incredibly damaging to children”. The sale of child pornography has already been outlawed, but the author maintains that the government needs to go further and outlaw even the possession of such material.

Hence, from all of this discussion, it can be argued that in order to affect true change for children rights, there must be first of all a cultural acceptance of the changes. People possess their own ideas and worldviews. Worldviews are the eyeglasses through which one views everything. Since the CRC is founded on the Marxist/Socialist principles that undergird the UN, people with other worldviews may not accept that inherent ideology. For instance, Marxism favors increased governmental control of all aspects of the lives of its citizens. For those who disagree with Marxism and have another worldview, the CRC may not be the answer. This is reflected in the article by Hicks. Hicks sees the CRC as threatening parental rights in the US. She served in the Reagan administration and writes articles from a conservative standpoint. Coming from a conservative aspect, she actively opposes the CRC and urges others to do the same. Jett, however, holds a very different perspective. He has spent many years working for the US government in foreign affairs under the Clinton administration and writes for the
He believes that the US should definitely ratify the CRC in order to regain their position as a leader in human rights. Bellamy backs up Jett in his argument for US ratification. She also believes that the US should ratify the CRC. Both believe that the human rights cause will be furthered if the US just ratifies the bill. Bellamy likely believes all of this so passionately because of the many years that she has spent working as director for UNICEF.

This bias is perhaps the key to understanding the differences between the two positions. Those who work for the UN must advance the UN’s agenda. They must agree with it and espouse it. Their agenda is founded on Marxist/Socialist thinking as mentioned previously. This is the agenda that Jett and Bellamy advocate for. However, Hicks does not agree with that ideology. She is representative of the conservative thinking in America. These two ideologies are in conflict with one another and form the basis for the contention and friction on the matter of the CRC and child rights at large. It is this divide that will have to be bridged in order to reconcile the differences and to formulate a new and effective plan for protecting children and enforcing their rights. That is in America.

On a global stance, things are a little different. For one, with the exception of Somalia, all the rest of the world has adopted the CRC resolution. They already have the CRC and the argument in their countries centers not around ratification, but rather around the subject of implementation. Here is where Nordveit, Wabwile, Van de Glind, Kooijmans, and Hanmer disagree. These authors each have their own representation of
the ideal method of implementation. They each may have their own ideas, but they all operate off the same framework more or less. They are all operating under the umbrella of the CRC and are not debating the merits of it as is the situation in America. There they are focusing on finding the best way to enforce the CRC and thereby improve children's lives. That is where they have a variety of ideas. Hanmer suggests religious cooperation, Wabwile believes that the answer lies in economic stimulus, and so on. The key to their success is going to be different from the key to American success. The rest of the world must be made to realize that their key to success lies in the cultural acceptance of the changes. This is very different from the way it is in America, and yet it is somewhat similar at the same time. In both cases, the culture provides the barrier to advancement. For one, culture is the barrier to enforcement. For another, culture is the barrier to ratification. Therefore, change that truly makes changes will have to change the culture.

Now is the second point. There must be a realization that the CRC may not even be the ultimate answer. This is something that the policymakers and authors quoted in this article must keep in mind. If they are truly desirous of affecting change in the realm of children’s rights, then they must keep a clear mind as to the solutions. They must realize that the CRC may not be the ultimate answer. As the editor from Japan pointed out, there were still human rights violations in Japan, violations of the type that the CRC forbade. To recognize the CRC’s faults may be hard to do, for many of the authors in this essay have worked for the UN in one capacity or another. They will not necessarily find it easy to think in any other way or to recognize other solutions. This is the problem once
again of worldviews. Worldviews color everything that we see to one extent or another. These worldviews can be good and bad at the same time. They can prevent an individual from seeing alternative answers to a problem. This is the reason that Wabwile, Nordveit, and the others wrote their articles. It is the reason that there are problems in the first place. In order to find the best solution to the problem of child's rights violations, then, the barrier of worldviews must be overcome along with the problem of cultural acceptance.


