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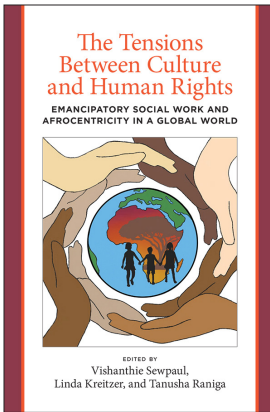
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THE TENSIONS BETWEEN CULTURE AND HUMAN RIGHTS: Emancipatory Social Work and Afrocentricity in a Global World

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“Everybody Here Knows This, If You Want to Go to School then You Must Be Prepared to Work”: Children’s Rights and the Role of Social Work in Ghana

Ziblim Abukari

Ghana is a signatory to many international conventions that seek to promote and protect the rights of children and was the first country to ratify the UN Convention on the Rights of the Child (CRC) (UN, 1989). At the continental level, the country also ratified the African Charter on the Rights and Welfare of the Child (African Charter) (African Commission on Human and Peoples’ Rights, 1990) as a further demonstration of its commitment to protecting the rights and well-being of children. The Ghanaian government has enacted several legislative items since 1990 to streamline children’s rights and welfare policies in the country. For example, Article 28 of the 1992 Constitution guarantees the rights of children to parental care and protection against exposure to physical and moral hazards, including engaging in work that threatens their health and educational development (Government of Ghana, 1992). These rights align with the tenets of international human rights instruments such as the CRC and the African Charter. Similar legislation pertaining to human rights and the rights of children that has been enacted in recent years includes the Criminal Act (Amendment) Act 1998 (Act 554), the Children’s

Act 1998 (Act 560), Child Rights Regulations 2002 (LI 1705), and the Juvenile Justice Act 2003 (Act 653) (Manful & Manful, 2014).

Ghana's embrace and ratification of international conventions and enactment of national laws that protect both children in need and juvenile justice signals the government's commitment in principle to strengthening the legal framework for child protection. However, recent analysis of the legal instruments of child protection suggests that many of the children's rights and protection laws and policies are not properly coordinated, and the provisions in the Children's Act are not working as envisaged (Manful & Manful, 2014). Some have also pointed out the striking similarities between the Children's Act of Ghana and the UK crisis intervention model, which tends to rely on formal investigations and court-ordered interventions, practices that are incongruent with the family-centered and consensus-based approaches to decision making in Ghana (IFSW, 2011). While this is intriguing, it is not surprising because Ghana, like many countries in sub-Saharan Africa, inherited or adopted the child protection policies of their former colonizers, which to a large extent are ineffective because they do not reflect unique Ghanaian traditions, cultures, values, and resources.

The goal of this chapter is to examine the existing child protection laws in Ghana within the context of the CRC and the African Charter and the degree to which they enhance the rights of children as prescribed in these conventions. An additional impetus for this chapter is to critically examine the compatibility of these conventions with Ghanaian child-rearing practices. Traditional child protection practices prior to colonialism, including traditional child fostering, are examined, as some are still being practised today. The chapter also reviews the role of social work education and practice in promoting children's rights within the Ghanaian context given that many people, including child welfare professionals, seem to object to the universal notions of childhood being imported from Western cultures. Progress and challenges in children's education and protection against child labour are also examined.

Traditional Child Protection Practices Prior to Colonization

The traditional Ghanaian notion of the child and childhood is varied and contradictory at best. On the one hand, children are considered the future leaders of the nation and are held in high regard. As Boakye-Boateng (2010) observed, within the context of Afrocentric tradition, children are recognized as the custodians of tomorrow, and society's continuous existence hinges on its ability to socialize them in the art of survival and perpetuation. According to Onwauchi (1972), African children, prior to colonization, were educated by elders in their traditional customs, values, tales, and myths as well as moral and ethical codes of behaviour and social relationships. Some of these teachings also involved religious rituals and practices that instilled the ideas of love, respect, and obedience toward parents and elders. Through apprenticeship and participation in cultural rituals, Onwauchi (1972) observed, children develop communication skills and the art of survival, as expressed in the local culture. As part of this socialization, male children from seven years of age begin to engage in age-appropriate work of the father while female children learn household chores of the mother. There also existed a traditional African system of fostering (more on this later) that ensured the provision of material and spiritual support for the development of children (Boakye-Boateng, 2010).

Similarly, in their argument against the universal notion of childhood, Ndofirepi and Shumba (2014) observed that “the notion of ‘child’ is not a natural or universal category predetermined by biology, nor is it something with a fixed meaning”; instead, “childhood is historically, culturally, and socially variable” (p. 233). In the African context, children are perceived both as biologically fragile beings in need of protection and nurturance and social beings with prescribed social functions and relationships (Boakye-Boateng, 2010). Laird (2015) highlighted the pervasiveness of this resistance to universalized childhood in her study of child neglect in sub-Saharan Africa. Mwachilale (as cited in Laird, 2015) quoted a Malawian member of parliament's contribution to a debate for a child-care and protection bill as part of Malawi's efforts to implement the CRC. In his opposition to the bill he stated:

Malawi is located in the east of Central Africa and not to the east of Europe. We need to make some necessary departures from the way our friends in Europe do things. . . . Are we serious, if parents are punished for asking their children to feed goats, assisting them on tobacco work or for bringing up their children in that way. (p. 2)

This was ultimately an objection to what the MP perceived as an imposition of alien child-rearing practices on him and his country.

Beside these constructions of childhood existed an informal system of child fostering in pre-colonial Gold Coast, now Ghana. It was customary for the extended family, through kinship, to provide foster care to their family members whose parents were unable to do so (Goody, 1982; Kuyini et al., 2009). Afrocentric child fostering served other purposes in addition to care and protection of vulnerable children. For example, according to Oppong (as cited in Frimpong-Manso, 2014), among the Dagomba in northern Ghana, cultural practices such as *zuguliem* (a traditional practice where drummers assume the role of rearing their daughters' and sisters' children and train them in their profession) gave children an opportunity to learn a trade.

The practice of parents placing children in another family is a tradition in many societies worldwide. But existing literature suggests that the practice is more widespread in West Africa (Isiugo-Abanihe, 1985; Kuyini et al., 2009; Pilon, 2003). Within the West African region, child-fostering purposes vary across cultures. According to Goody (1982), this is because the practice serves distinct purposes depending on the cultural context and depending on the child's gender. Some of the purposes for child fostering, according to Goody (1982), include schooling, illness, death, divorce, mutual help among family members, socialization, and strengthening of family ties. The purposes can be grouped into two broad categories: kinship fostering (fostering within the family), and non-kinship fostering outside the family or between families (Isiugo-Abanihe, 1985; Kuyini et al., 2009; Pilon, 2003). In a study of child fostering in West Africa, Isiugo-Abanihe (1985) categorized the types and motivations of traditional child fostering into four distinct groups. These are crisis fostering, alliance and apprentice fostering, domestic fostering, and educational fostering. Since

traditional child fostering is not the focus of this chapter, two categories are briefly highlighted here.

Crisis fostering

Crisis fostering is usually necessitated by a crisis such as death, the dissolution of the family, or perceived danger (Goody, 1982; Isiugo-Abanihe, 1985; Pilon, 2003; Serra, 2009). According to Goody (1982), “where fostering follows the dissolution of the conjugal family . . . ‘crisis’ fostering is used to distinguish it from ‘voluntary’ or ‘purposive’ fostering, which is initiated while the parents’ marriage is intact” (p. 43). This form of fostering has played and continues to play a critical role in protecting children in times of crisis, since institutional child fostering remains at the peripheral level, serving less than 1 percent of children in Ghana (Ministry of Gender, Children and Social Protection, 2015). In her study of children orphaned on account of AIDS in the Manya Krobo District of the Eastern Region of Ghana, Ansah-Koi (2006) noted that people who may not be related to the orphans provided foster care based on sympathy, altruism, and religious beliefs. Similarly, Pilon (2003) reported that kinship fostering has become more important in many parts of Africa because of a growing number of orphans whose parents have died of HIV/AIDS, with up to 40 percent of orphans living in traditional foster care in Burkina Faso in 2003.

Educational fostering

Unlike the other purposes of traditional child fostering, educational fostering is a more recent phenomenon necessitated by structural inequalities such as poverty and uneven access to formal educational opportunities. In this case, children are fostered out for an opportunity to obtain formal education. According to Pilon (2003), proximity to educational amenities and the readiness of a family to foster a child are key considerations in educational fostering. Similarly, Isiugo-Abanihe (1985) and Goody (1982) observed that most contemporary fostering in West Africa is associated with formal education, which is increasingly viewed as a means of social mobility. Due to the unavailability of schools, particularly in rural areas in Africa, Isiugo-Abanihe contended that young children may be sent to reside with distant relatives or non-relatives during their schooling years. However, it has also been observed that there is an ambivalent relationship

between child fostering and access to formal education in Ghana (Isiugo-Abanihe, 1985; Pilon, 2003). The authors note that while some children may be fostered out to obtain formal education, child fostering may be the reason some children are out of school.

The UN Convention on the Rights of the Child and the Ghanaian Context

All African countries have ratified the CRC and incorporated its provisions into their national statutes regarding child welfare and protection. The CRC comprises 54 articles in which are enshrined children's civil and political rights, as well as their economic, social, and cultural rights. It advocates for the protection and promotion of the rights of children with special needs, of minority children, and refugee children (UN, 1989). There are four core principles that govern the implementation of these rights: non-discrimination; best interests of the child; right to life, survival, and development; and respect for the views of the child (UN, 1989).

Laird (2015) observes that the CRC provisions are based on the premise that children are dependents who require the care and protection of their parents in a nuclear family system. With regard to implementation of the CRC in lower-income countries of the world, some authors have argued that since their unsuccessful structural adjustment programs, the World Bank and the International Money Fund (IMF) have repackaged their Western-centred, patronizing approaches to emphasize "investment in human capital," which promotes early childhood development as an equalizer of opportunities (Monaghan, 2012). For example, a review of the World Bank-sponsored programs in mainly lower-income countries over a 12-year period by Sayre et al. (2015) highlighted the importance of investment in early childhood development. Focusing on five core areas of the bank's investments—education, health, nutrition, population, and social protection—the report noted that these programs not only support improved growth and development and better school outcomes but also have the potential to break the intergenerational transmission of poverty. However, implicit in this *new* approach is a push for a universal conception of childhood and child rearing with little regard to local context and traditions (Laird, 2012; Monaghan, 2012; Penn, 2012).

An independent evaluation of the World Bank's operations underscored the benefits of early childhood education investments but criticized the bank for focusing too much on child survival and physical growth to the neglect of socio-emotional development, parenting education, and maternal psychological needs (Independent Evaluation Group, 2015). The report also criticized the lack of parental involvement and alignment between the programs and the countries' needs. In the view of Jenk (2005), some international institutions, including non-profit organizations, have collectively produced "an extensive globalization of Western ideas of childhood," noting that "one particular vision of childhood has been and continues to be exported as 'correct childhood'" (p. 123). Alluding to the variations of the meaning of childhood across cultures, Jenk (2005) argues that if viewed from a social constructionist perspective, the meaning of childhood varies considerably from one society to another, with radical changes in meaning even within the same culture over time.

Laird (2015) argues that the Western hegemonic constructions of childhood that characterize children as vulnerable and needing constant care and protection from their parents and caregivers have been transmitted to Africa through international conventions such as the CRC, and make it practically difficult to distinguish between parental neglect and appropriate traditional practices of child rearing in Africa. The contradiction is more conspicuous in the common adage that "children are to be seen and not heard" and was clearly expressed by some child welfare professionals in a study on the relevance of children's rights in practice in Ghana by Manful and Manful (2014): "Children's rights is about allowing children to be involved in issues that adults are to take care of; it will make children in the Home indisciplin[e] and uncontrollable, we can't allow that to happen." Another respondent added, "Children's rights, allowing children to be involved in every issue is a 'white man's' idea; it has nothing to do with us" (p. 323). These paternalistic images of the child and perceptions of child welfare workers confirm that they object to any form of the Anglo-Eurocentric ideals of childhood and child-rearing practices being imposed on them and highlight the complexities of enforcing child protection laws in Ghana, and the continent, if the laws do not reflect indigenous cultural mores and values.

The African Charter on the Rights and Welfare of the Child

It is an irony that all African countries unanimously endorsed the CRC, although they did not participate in the drafting of the convention. However, African governments criticized the convention for ignoring critical socio-cultural and economic realities of African circumstances (Olowu, 2002). Laird (2015) contends that it was these criticisms that led to the development and adoption of the African Charter, which ironically replicated many of the CRC provisions but added new provisions unique to the African situation. These additional provisions include “the duty to work for the cohesion of the family, to respect his parents, superiors and elders at all times and to assist them in case of need . . . to serve his national community by placing his physical and intellectual abilities at its service, to preserve and strengthen social and national solidarity” (Laird, 2015, p. 5). This list of obligations was intended to be more reflective of the collective values of the kinship system in African society and consistent with Onwauchi’s (1972) description of traditional African values—and these are much broader than the narrow definitions of family obligations in the CRC. Like the CRC, the African Charter was incorporated into the national statute books of member countries. Under the African Charter, a child cannot be discriminated against based on his/her parents’ or legal guardians’ race, ethnicity group, or colour. The African Charter does not make any reference to a “state,” unlike Article 3 of the CRC, implying that the obligation not to discriminate is binding not only on the state but other actors as well (Chirwa, 2002).

Given the disparate provisions in the CRC and the African Charter, it is not difficult to fathom why African governments have struggled to articulate children’s rights and fully adhere to the obligations of these international legal instruments, because the two tend to contradict each other on several key provisions. Laird (2015) poignantly captured this contradiction when she argued that while “one version construes children as entirely dependent, requiring protection and care from their parents . . . the other conceptualizes them as holding duties to assist and meet the needs of others within an interdependent web of family relationships and community participation” (p. 5). The interdependent and collective

child-rearing practices in Africa are further illustrated by Mbugua (2012) and LeVine et al. (1994) in their description of child-rearing practices in Kenya, where they observed that a child belongs not to one family, but to the extended family system and that it takes a whole village to bring up a child.

Legal Framework for Child Protection in Ghana

The first formal organization established solely for the protection of children 0–18 years of age was the Ghana National Commission on Children (GNCC) in 1979 (Addison, 2012). The GNCC was responsible for the implementation of the CRC and played key roles in advocating for various children’s rights laws, including the Children’s Act 1998 (Act 560), Juvenile Justice Act 2003 (Act 653), and the ratification of the African Charter on the Rights and Welfare of the Child in 2005. In 2001 the GNCC was replaced by the Ministry of Women and Children’s Affairs, which was renamed Ministry of Gender, Children, and Social Protection in 2013. The establishment of a ministry devoted to women and children has pushed children and women’s rights into mainstream public policy, and is seen by some as a big leap forward (Addison, 2012; Appiah, 2012). As part of this reconfiguration, the Department of Children (DOC) was also created to focus on child development and to provide guidelines to the ministries and local government organizations.

The Children’s Act 1998 (Act 560)

The Children’s Act of 1998 makes provisions for the rights of the child and deals with parental duties and responsibilities, maintenance, adoption, and fosterage. The law also protects children from exploitative labour and child marriage, and establishes conditions for care and protection of children. Consistent with the CRC, the Act defines a child as any person below the age of 18 years. Concerning the welfare of the child, the Children’s Act makes provisions for the notion that “the best interest of the child shall be paramount in any matter concerning a child” (Article 2[1]). It also prohibits discrimination against a child based on gender, race/ethnicity, age, religion, refugee status, or ethnic origin. Regarding education, the Children’s Act notes that “no person shall deprive a child access to

education, immunization, adequate diet, clothing, shelter, medical attention, or any other things required for his [or her] development.” It further states that “no person shall deny a child medical treatment by reason of religious or other beliefs” (Article 8[2]). Section 9(3) of the Children’s Act gives the Department of Social Welfare a mandate to remove a child in need of care and protection as specified in Section 8(1) regardless of the status of the child. In addressing maintenance, the Children’s Act requires parents or legal guardians to provide for the child’s basic needs, including health, education, life, and reasonable shelter. Child maintenance cases may be decided in a Family Tribunal, with a child represented by a parent, probation officer, a social welfare officer, or next of kin. The Children Act also addresses child labour in Section 87, which prohibits exploitative child labour, defined in Section 87(2) as work “which deprives a child of its health, education, or development.”.

The Situation of Children’s Rights in Ghana

Economically, Ghana is currently one of the best-performing economies in Africa, with an annual growth rate of between 6 and 7 percent since 2005 (Cooke et al., 2016; UNICEF, 2011). The country recently achieved a middle-income status due to a significant reduction of poverty in the last two decades. Joint UN Development Programme (UNDP) Government of Ghana (2015) data shows that Ghana has largely achieved the millennium development goals of universal primary education enrolment and cutting by half the proportion of people living in extreme poverty. These are all good signs and offer hope for children’s rights to better living conditions even though spatial differences remain in rural districts and northern Ghana.

The right to education

Children have a right to education, according to the Constitution of the Republic of Ghana (Government of Ghana, 1992). It states that “no child shall be deprived by any other person of medical treatment, education or any other social or economic benefit by reason only of religious or other beliefs” (Article 28[4]). The Constitution transcends the right to education to include a mandate for government to provide equal opportunities

and facilities for students to realize this right. The article states that “basic education shall be free, compulsory and available to all” (Article 25). It is worthwhile noting that this is not the first time that Ghana has had an Education Act. In fact, Ghana enacted the first free, compulsory universal primary education policy (it covered primary one to six) in sub-Saharan Africa through the Education Act of 1961 (Act 87) (Foster, 1965).

Some have observed that the recent education policies in Ghana were designed to align with the provisions in international conventions such as the CRC, the African Charter, and Universal Declaration on Human Rights (Ghana NGOs Coalition on the Rights of the Child [GNCRC], 2014), thereby reinforcing the significance of education to the development of the child. The Government of Ghana’s 10-year Education Sector Plan (2010–2020) contains many provisions and initiatives that suggest government’s commitment to improving educational outcomes. According to the Ministry of Education (2010), the 10-year education plan aims to improve access and quality of education, promote health and sanitation, and expand pre-school and kindergarten as well as provide equal opportunities for all children to education. The last point is particularly significant because due to lack of equal access and opportunities, education has not played the role of an equalizer of opportunities since the end of colonialism more than six decades ago. Recent data suggests that even though Ghana has achieved the gross enrolment target, net enrolment is still below target at 89.3 percent. Gender parity in school enrolment has also been achieved at the kindergarten level, 99 percent at primary, 95 percent at junior high school, and lowest at 91 percent at the senior high school level (UNDP/Government of Ghana, 2015).

According to the GNCRC (2014), while the gap in gender parity in school enrolment has narrowed over the last two decades, girls still encounter difficulties in receiving an education. The GNCRC lamented that when families could not afford education of all their children, parents tended to remove their daughters rather than their sons from school. The structural inequalities, combined with cultural attitudes, exacerbate girls’ lack of access to education. In their study of children’s rights in Ghana, Porter et al. (2011) pointed out how remoteness and poverty commingle to hinder children’s access to education, particularly for girls. Focusing on the Gomoa District of the Central Region, Porter and colleagues observed

that the district has met the primary school enrolment targets and achieved gender parity in enrolment at the primary level. However, access became constricted at secondary school because students had to commute 2–4 kilometres to their nearest secondary school. They also found that only boys, not girls, had bicycles to make the daily commute.

It can be deduced that achieving the CRC objectives and that of the Children's Act will require more than providing access to education, and should include changing cultural attitudes toward girls' education and children's rights in general through education and establishing sanctions for teacher and student misconduct. A study on school and home factors that negatively impact girls' education in Malawi revealed that uneducated mothers do not believe in the benefits of girls' education, and the majority of respondents in their rural samples believed girls to be less intelligent than boys (Chimombo et al., 2000). With regard to Ghana, Sackey (2007) reviewed the determinants of school attendance from a gender perspective and concluded that parental educational levels, particularly the mother's education, had a significant positive effect on school attendance as well as changing the intergenerational socio-economic status of the family.

Several conclusions can be drawn from these studies. First, sustainable anti-poverty programs are needed to alleviate chronic poverty and enhance economic security, since poverty is a key obstacle to educational access and results in the prevalence of child labour. Second, more schools are needed in rural areas to reduce the distance to travel to school, or else government should provide transportation such as school buses to feeder schools (a policy not currently available in public schools). This is because the cost of busing may be far lower than construction of new schools. Furthermore, when parents are uneducated they do not understand the value of education and cannot perceive its long-term benefits. As a result, they tend to rely on long-held traditional gender stereotypes in favour of boys. Thus, there must be a concerted effort by government and NGOs to educate the public, particularly parents in rural areas, about the benefits of girls' education.

While the government has implemented new social protection programs such as the Livelihood Empowerment Against Poverty (LEAP), a health insurance scheme, and a school feeding program, there remains a need for a teacher training curriculum that is less authoritarian and

encourages equal participation of all genders. These programs will also be more effective if there are gender-specific targets, particularly regarding girls' education and women's economic empowerment. There is also a need for policy changes on sexual harassment and teacher/student misconduct. Chimombo et al.'s (2000) study in Malawi indicated that some girls miss school or drop out because of sexual harassment by teachers and fellow students. Dunne et al. (2005) reported similar cases of sexual harassment of girls in Ghana and Botswana more than a decade ago, and the problem persists today.

Recently, a Ghanaian daily newspaper, the *Daily Graphic* (2018), reported the sexual misconduct of a headmaster of a rural district senior high school with a 16-year-old student. While this revelation was not too surprising, the reaction by the Ghana Education Service (GES) and local teachers' association was most outrageous. While the paper reported that the teacher had been suspended pending investigation, he was not charged with any crime. The paper also quoted a representative of the Ghana National Association of Teachers (GNAT) from the Central Region saying that the teacher committed no crime because the relationship was consensual, and the girl's parents knew about it. It is obvious that neither the GES nor GNAT recognized this behaviour as a crime, and an egregious violation of trust by an adult who had been entrusted with the care of minor children. This kind of attitude must change to protect young girls and help them to succeed in school.

Child labour

The adoption of the CRC in 1989 has reshaped the notion of childhood across the world and brought into sharp focus the problem of child labour. Even though the CRC has been criticized by some as an attempt to universalize or globalize the notion of childhood (Jenk, 2005; Monaghan, 2012; Penn, 2012), or export Western ideals of childhood to other countries (Laird, 2012), there is consensus about work or practices that are exploitative or harmful to children's health and development. It has been observed that the CRC, as a global children's rights instrument, has obligated countries around the world to promote and maintain the welfare of children and recognize child labour as a problem (Clerk, 2011).

Clerk (2011) also observed that the implementation of the CRC in many countries, including Ghana, has been hampered by a number of factors, including lack of consensus about how childhood should be defined. Research shows that in general child labour is more prevalent in sub-Saharan Africa, where 59 million children aged 5–17 years are engaged in hazardous work (International Labor Organization [ILO], 2017). Despite Ghana being the first country to ratify the CRC, 1.9 million children aged 5–17 were reported to be engaged in child labour in 2014, and out of this number 1.2 million were engaged in hazardous occupations, including artisanal gold mining, head portage, and street peddling, among others (Ghana Statistical Service, 2014; Okyere, 2014).

For many contemporary Ghanaian children, engaging in an economic activity is no longer about socialization, as in earlier times, but a necessity for survival, and poverty is the primary reason for children's engagement in child labour (Ghana Statistical service, 2014; Okyere, 2014). Research also shows that more than half a million children of school age are not in school, with 26.3 percent of those who attend school engaging in economic activity while 41.6 percent of those not in school engage in child labour (ILO, 2017). These staggering statistics indicate that while progress has been made, the country still must work to fully achieve the CRC provisions. The gaps and failures of existing domestic policies were articulated by the children who participated in Okyere's (2014) study of child labour in artisanal gold mining, who opined that they needed to work to support their education. Okyere (2014) quoted a 16-year-old student who stated, "Everyone here knows this. . . . If you want to go [to school], then you must be prepared to work. They say it every day on the TV that education is the future . . . but if you don't work, no school for you" (p. 95). The children in the study acknowledged the dangers in such work but felt that they had no choice.

This case further underscores the challenges in implementing the CRC and other child welfare policies in Ghana. The laws and policies exist in principle but are either poorly coordinated or rarely enforced despite the institutional and legal framework being put in place. It is important to recognize that rectifying these problems is possible, but it will take time. Evidence shows that the overall proportion of Ghanaians who live in extreme poverty has declined by more than half in the last two decades,

although nearly a quarter of the population (24 percent) still live in extreme poverty (Ghana Statistical Service, 2014; UNICEF, 2011).

With decreasing poverty, attention must be paid to strengthening the political and legal institutions as part of an effort to combat corruption, tribalism, and nepotism. As former US President Barack Obama exhorted Ghanaian and African leaders during his first visit to Africa in 2009, “Africa doesn’t need strongmen, it needs strong institutions” (BBC, 2009). The need for accountability on the part of all Ghanaians regardless of class, status, or creed is obvious, and people entrusted to run social institutions, elected or otherwise, need to put the interests of children above their own. It is my opinion that the problem of children in Ghana is not entirely due to lack of resources but rather mismanagement, and stronger, more independent institutions would go a long way to curtailing this social menace.

The Role of Social Work in the Promotion of Children’s Rights

The role of social work in the promotion of human rights is deeply rooted in the profession’s history and origins. From the onset, the early social work pioneers sought to improve the lives of the poor, the abandoned, and the forgotten in society. This was poignantly captured by the International Federation of Social Workers (IFSW, 1988, as cited in UN, 1994) when it stated, “Social work has, from its inception, been a human rights profession, having as its basic tenet the intrinsic value of every human being and as one of its main aims the promotion of equitable social structures, which can offer people security and development while upholding their dignity” (p. 3).

Tracing the history of human rights in social work, Staub-Bernasconi (2016) identified human rights in the writings of many early pioneers, including Alice Salomon, Eglantyne Jebb, and Jane Addams. Jane Addams (cited in Staub-Bernasconi, 2016) noted: “What is all the talk about fraternity and equality, when one doesn’t have the right to make it concrete in the helping relationship?” (p. 40). Contemporary human rights were formally institutionalized in social work with the publication of the text *Teaching and Learning about Human Rights: A Manual for Schools of Social*

Work and the Social Work Profession (UN, 1994) in collaboration with the IFSW in 1992 and republished in 1994. Staub-Bernasconi (2016) argues that this publication was instrumental in bringing many transformations to social work, including an international definition of social work, ethics in social work, global standards for the education and training of the social work profession, and more recently, the *Global Agenda for Social Work and Social Development: Commitment to Action*. Specifying the role of social work in the promotion of human rights, the UN (1994) states that the focus on human rights shapes the conviction that the fundamental needs of humans require that they be met not as a matter of choice but as an imperative of social justice.

In Africa, social work is a relatively young profession that continues to evolve but has a potential to play a larger role in promoting human rights, including the rights of children. Introduced to the continent by former colonial powers, the profession continues to struggle to find a niche in adopting indigenous methods to suit local needs. In this section, I focus on recommendations that will strengthen social work education and practice in Ghana and Africa to promote children's rights. The UN Centre for Human Rights (UN, 1994) made specific recommendations for teaching and learning about human rights. Although they are not specifically about children's rights, I find the recommendations useful, and they can be adapted to social work education and practice on children's rights in Ghana. The UN manual notes that teaching and learning about human rights is similar to other areas of social work because it requires application and analysis as well as personal commitment to communication and understanding. Three of the UN (1994) recommendations are outlined here: recognizing the problem, analysis, and use of reference groups.

Recognizing the problem

Education and training are the cornerstones in the promotion of children's rights. Social work's core values of dignity and worth of a person, diversity, and non-discrimination, among others, speak to an implicit human rights dimension. According to the UN (1994), the priority for teachers and students is to learn to recognize and explore these dimensions both in theory and in practice. It is important to consider client issues from three ecological systems levels (micro, meso, macro) before

setting goals. Another consideration should be given to the preventive, developmental, and social-action approaches of social work intervention. The macro system level is particularly useful to Ghana because socio-economic problems are more prevalent. The ecological-level analysis is also important because there seems to be a disconnect between social workers as individuals (micro) and the larger macro system. This was evident in Manful and Manful's (2014) study of child welfare workers in Ghana on their perspectives on children's rights. The authors noted that while the child welfare workers acknowledged the importance of children's rights they felt that it was irrelevant to their work. It appears that the workers do not recognize or understand children's rights. Proper training in the form of curriculum redesign that incorporates human rights, and continuing education on current trends and developments in the field, are imperative to help such workers recognize the problem and understand their role in upholding and protecting these rights.

Analysis of the problem

The UN (1994) also notes that a conventional social work practice approach is to start from where the client is, which may be in the family or social context. In just the same manner, basic human rights issues begin with the fundamental rights of the individual as outlined in the CRC, the Ghanaian Constitution, and the Children's Act. However, unlike people in individualistic cultures who view problems confronting them as their own (Heine, 2010), individuals in collectivist cultures where family plays a central role are more likely to have an interdependent view of themselves and define their problems within the context of these interdependent relationships (Marcus & Kitayama, 2010).

In this case, the problem of children's rights in Ghana should be analyzed within the context of the interdependent relationships within the family and community. This is because the human rights and well-being of the child affect the well-being of the family and the community at large. Like the problem recognition discussed earlier, the analysis should be situated within the individual's ecological system (micro, meso, macro), because understanding the root causes is the first step in the helping process and it may be located at the individual, group, or community/societal level. Furthermore, analysis of prevailing socio-economic and political

environment is critical. In the case of Ghana, government commitment to children's rights, traditional norms, and cultural attitudes all impact children's rights in various ways.

The countervailing cultural attitudes of Ghanaian child welfare workers were palpable in Manful and Manful's (2014) study, as revealed in these quotes: "We have many cultural practices that are not compatible with the rights of children, we have been socialized to believe that a good child is one who listens and [doesn't] speak back to adults" (p. 323). Another worker added, "I cannot say children's rights is of much relevance for us because we cannot involve children in issues that affect them here, we have to emotionally protect the children from involvement in issues that might be distressful to them" (p. 323). The social workers' ignorance and disregard for children's rights may be the root cause of the problem but also reveals the irony of the CRC in Ghana and the contrasting demands in the CRC and the African Charter.

More than 25 years after the country ratified the CRC and almost 20 years after the Children's Act was passed, very few people outside of government, including some social workers, are educated enough about what these laws really mean. Based on the collectivist orientation mentioned earlier, these social workers seem to believe that children's rights are indistinguishable from that of their parents or carers, which is inaccurate. The need is therefore obvious for the inclusion of human rights content in social work education curriculum that is properly contextualized and utilizes local textbooks, Ghanaian case studies, and vignettes on children's rights in the country. Professional development in the forms of continuing education, workshops, and training for those already in the field is also needed to keep abreast of current knowledge and best practices. A cursory look at the social work program at the University of Ghana reveals some noticeable changes in the curriculum, with the inclusion of two courses on human rights: *Women and Children's Rights and Protection* and *Human Rights in Social Work Practice*. There is a third course on *Working with People in Need of Protection*. These are glimpses of hope that the curriculum is gradually being indigenized to reflect the unique needs of the local context.

Use of reference groups

Underpinning a successful intervention strategy are support elements available to the social worker (UN, 1994). The UN manual notes that support may be sought from individuals, organizations, groups, and social movements involved in human rights issues. These include self-help groups, law enforcement, NGOs, and faith-based organizations. Laird (2008) underscored the importance of reference groups, specifically mutual aid groups, in sub-Saharan Africa in providing aid to its members in times of adversity. Laird notes that the groups range from those that make regular contributions into a common fund such as *susu* (Ghana) or *esusu* (Nigeria) to those that organize for income-generating activities and skills training.

Social workers can leverage the existing strengths of these groups for public education using their existing structures. Lucas (2013) underscored the relevance of social movements to social work education in Africa and noted that because African social workers are vulnerable to victimization as individuals by the state, banding together can provide security in challenging oppression and injustice against vulnerable and marginalized groups, including children. Based on personal experience, this is already a familiar strategy for social workers in Ghana, particularly those working in non-governmental organizations. Using these community groups will be effective in educating the public about children's rights and human rights in general because there is a high level of trust between community social workers and the groups they already work with in other spheres like anti-poverty and food security programs.

Active participation in policy making

It is an irony that social workers in Ghana and many parts of the world, including Western countries, are apathetic toward the social policy-making process because, as (Lucas, 2013) puts it, the plight of social work clients is often shaped by policy makers. Because of social workers' indifference to the social policy making process, Lucas (2013) observed that the process is usually dominated by people with little understanding or concern for vulnerable groups. However, I must add that social work associations in North America and the United Kingdom are proactive advocates for

policies that affect vulnerable populations. For example, the National Association of Social Workers (NASW, 2017) suggests that the social work profession was founded in social change and demonstrates this by actively engaging in social policy and legislative advocacy. In 2016–17 the NASW identified voting rights, criminal justice reform, immigration reform, and economic justice as its legislative priorities as well as several key policy issues (NASW, 2017).

Similarly, the British Association of Social Workers (BASW) has been active in campaigning on issues such as spending cuts in the voluntary and service sectors, fee capping on expert testimony by independent social workers, foster care, and refugees and immigration (BASW, 2014). Ghanaian and African social workers can emulate this by engaging in the policy-making process through advocacy and direct participation, including seeking elected positions in the national assemblies to meaningfully influence policy outcomes. Lucas (2013) further contends that while social workers deal primarily with victims of socio-economic deprivation, political intolerance, and injustices, they play no role in the formulation, development, and evaluation of programs that affect their lives.

In this regard, social workers are perceived as either silent or passive on many issues, including the distribution of resources, protection of human rights, and promotion of non-violent means of conflict resolution. Rwomire and Radithlokwa (as cited in Lucas, 2013) put it this way: “The consequence of this constricted perception of Social Work is that in many African countries, Social Work does not proactively address structural sources of poverty, but only functions as a passive and unambitious distributor of meagre food handouts which effectively keep clients in the vicious cycle of poverty” (p. 92). It is therefore imperative for social workers in Ghana to mobilize and work with the government to create the necessary structures that put social workers at the forefront of social development.

Professionalization and professional recognition

One way for social workers in Ghana and Africa to become effective advocates is to seek professional recognition. I believe that one of the reasons why the social work curriculum has been slow to adapt is lack of standards development and licensure through which they can gain

professional recognition. Like social workers in Britain and the United States who are guided by codes of ethics (e.g., BASW, 2014; NASW, 2017), Ghanaian social workers are guided by a code of ethics contained in the Ghana Association of Social Workers (GASOW) *Code of Ethics of Social Workers* (1999). The GASOW code of ethics obliges members to observe the core values of service, social justice, dignity and worth of a person, integrity, and competence. Despite this, the few social work programs in the country are not accredited, leaving the profession lurking in the periphery because of lack of professional recognition by the government and society. Participants in a study by Kreitzer et al. (2009) lamented the lack of professional identity in the form of licensing and recognition through an effective professional association.

Lucas (2013) blames the failure of social work in many African countries to meaningfully respond to the region's unique problems on its narrow focus and lack of recognition and support from governments. In his view, the lack of government support and recognition results in social workers being placed in cash-deprived ministries of social welfare to administer ineffective welfare programs, which Laird (2008) described as remnants of colonialism that have made it difficult to design programs to meet local needs.

Conclusion

Children's rights remain culturally controversial to many indigenous Africans, even among the so-called educated elite, because such rights are considered alien and antithetical to their cultural beliefs and constructions of children and child-rearing practices. The UN General Assembly unanimously adopted the Convention on the Rights of the Child in 1989 as a global standard for the protection of children against exploitation, abuse, and other harmful practices. Africa domesticated the CRC by adopting the African Charter on the Rights and Welfare of the Child, which reflected African cultural values of kinship and children's responsibilities to family and the community. At the national level, the Ghanaian government, through many children's rights legislative instruments, have brought children's rights to the mainstream. However, many children continue to engage in child labour or remain out of school. In

this chapter, I outlined specific roles that social work can play to promote children's rights, including their ability to recognize a problem and analyze the problem, and being proactive in the policy-making process that affects the people they work with.

REFERENCES

- Addison, R. (2012). *Addressing the needs of children in Ghana: Challenges and prospects*. Accra, GH: Centre for Policy Analysis Research Papers.
- African Commission on Human and Peoples' Rights. (1990). African Charter on the Rights and Welfare of the Child. https://www.achpr.org/public/Document/file/English/achpr_instr_charterchild_eng.pdf
- Ansah-Koi, A. A. (2006). Care of orphans: Fostering interventions for children whose parents die of AIDS in Ghana. *Families in Society*, 87(4), 555–564.
- Appiah, E. M. (2012). *Protecting the rights of children in Ghana: The legal framework and ancillary matters*. Accra, GH: Centre for Policy Analysis Research Papers.
- Boakye-Boateng, A. (2010). Changes in the concept of childhood: Implications on children in Ghana. *Journal of International Social Research*, 3(10), 104–115.
- British Association of Social Workers (BASW). (2014). *The Code of Ethics for social work: Statement of principles*. Birmingham, UK: Policy, Ethics, and Human Rights Committee. http://cdn.basw.co.uk/upload/basw_95243-9.pdf
- British Broadcasting Corporation (BBC). (2009). *Obama speaks of hopes for Africa*. <http://news.bbc.co.uk/2/hi/africa/8145762.stm>
- Chimombo, J., Chibwana, M., Dzimidzi, C., Kunkwenzu, E., Kunje, D., & Namphota, D. (2000). *Classroom, school, and home factors that negatively affect girls' education in Malawi*. Zomba, MW: Center for Educational Research and Training.
- Chirwa, D. M. (2002). The merits and demerits of the African Charter on the Rights and Welfare of the Child. *International Journal of Children's Rights*, 10(2), 157–177.
- Clerk, G. (2014). Child labor in Ghana: Global concern and local reality. In R. K. Ame, D. L. Agyenyiga, & N. A. Apt (Eds.), *Children's rights in Ghana: Reality or rhetoric?* (pp. 15–36). Lanham, MD: Lexington Books.
- Cooke, E., Hague, S., & McKay, A. (2016). *The Ghana Poverty and Inequality Report: Using the 6th Ghana Living Standards Survey*. Accra, GH: UNICEF.
- Daily Graphic Online*. (2018, January 23). *Head teacher in leaked sex tape did no wrong—GNAT*. <https://www.graphic.com.gh/news/general-news/headteacher-in-leaked-sex-video-did-no-wrong-gnat.html>
- Dunne, M., Leach, F., Chilisa, B., Maundeni, T., Tabulawa, R., Kutor, N., Forde, L. D., & Asamoah, A. (2005). *Gendered school experiences: The impact on retention and achievement in Botswana and Ghana*. (Educational Papers No. 56). London, UK: Department for International Development.

- Foster, P. (1965). *Education and social change in Ghana*. Chicago, IL: University of Chicago Press.
- Frimpong-Manso, K. (2014). Child welfare in Ghana: The past, present, and future. *Journal of Educational and Social Research*, 4(6), 411–419. <https://doi.org/10.5901/jesr.2014.v4n6p411>
- Ghana Association of Social Workers (GASOW). (1999). *Code of ethics of social workers*. Accra, GH. <https://www.gasow.org/social-practice/code-of-ethics/>
- Ghana NGOs Coalition on the Rights of the Child (GNCRC). (2014). *Convention on the Rights of the Child (CRC) report*. Accra, GH. https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/GHA/INT_CRC_NGO_GHA_17939_E.pdf
- Ghana Statistical Service. (2014). *Ghana living standards survey: Report of the 6th round*. Accra, GH. <https://www.ilo.org/ipecinfor/product/viewProduct.do?productId=25515>
- Goody, E. N. (1982). *Parenthood and social reproduction: Fostering and occupational roles in West Africa*. Cambridge, UK: Cambridge University Press.
- Government of Ghana. (1992). Constitution of the Republic of Ghana. Accra, GH. <https://www.wipo.int/edocs/lexdocs/laws/en/gh/gh014en.pdf>
- Government of Ghana (1998). The Children's Act (Act 560). Accra, GH. <http://www.unesco.org/education/edurights/media/docs/f7a7a002205e07fbf119bc00c8bd3208a438b37f.pdf>
- Heine, S. J. (2010). Cultural psychology. In S. T. Fiske, D. T. Gilbert, & G. Lindzey (Eds.), *Handbook of social psychology* (5th ed., Vol. 2, pp. 1423–1459). Hoboken, NJ: Wiley.
- IFSW. (2011). *Social work and the rights of the child: A Professional Training Manual on the UN Convention*. Munsingen, CH.
- Independent Evaluation Group. (2015). *World Bank support to early childhood development: An independent evaluation*. Washington, DC: World Bank.
- International Labour Organization (ILO). (2017). *Child labor in Africa*. https://www.ilo.org/ipec/Regionsandcountries/Africa/WCMS_618949/lang--en/index.htm
- Isiugo-Abanihe, U. C. (1985). Child fostering in West Africa. *Population and Development Review*, 11(1), 53–73.
- Jenk, C. (2005). *Childhood* (2nd ed.). New York, NY: Routledge.
- Kreitzer, L., Abukari, Z., Antonio, P., Mensah, J., & Afram, K. (2009). Social work in Ghana: A participatory action research project looking at culturally appropriate training and practice. *Social Work Education*, 28(2), 145–164.
- Kuyini, A. B., Alhassan, A. R., Tollerud, I., Weld, H., & Haruna, I. (2009). Traditional kinship foster care in northern Ghana: The experiences and views of children, carers, and adults in Tamale. *Child and Family Social Work*, 14, 440–449. <https://doi.org/10.1111/j.1365-2206.2009.00616.x>
- Laird, S. E. (2012). The construction of the child in Ghanaian welfare policy. In A. Twum-Danso Imoh & R. Ame (Eds.), *Childhoods at the intersection of the local and the global* (pp. 94–120). Basingstoke, UK: Palgrave Macmillan.

- Laird, S. E. (2015). "If parents are punished for asking their children to feed goats": Supervisory neglect in sub-Saharan Africa. *Journal of Social Work*, 16 (3), 1–19. <https://doi.org/10.1177/1468017315572037>
- LeVine, R. A., Dixon, S., LeVine, S., Richman, A., Leiderman, P. H., Keefer, C. H., & Brazelton, T. B. (1994). *Culture and care: Lessons from Africa*. Cambridge, UK: Cambridge University Press.
- Lucas, T. (2013). Social work in Africa: The imperative for social justice, human rights and peace. *PULA: Botswana Journal of African Studies*, 27(1): 87–106.
- Manful, E., & Manful, S. E. (2014). Child welfare in Ghana: The relevance of children's rights in practice. *Journal of Social Work*, 14(3), 313–328. <https://doi.org/10.1177/1468017313477756>
- Marcus, H. R., & Kitayama, S. (2010). Cultures and selves: A cycle of mutual constitution. *Perspectives on Psychological Science*, 5(4), 420–430. <https://doi.org/10.1177/1745691610375557>
- Mbugua, J. W. (2012). *Promoting child rights: Reflections on key processes of children sector in Kenya from 1989 onwards as recorded by some national civil society actors*. London, UK: Save the Children.
- Ministry of Education. (2010). *Education Strategic Plan (2010–2020)*. Accra, GH: Government of Ghana.
- Ministry of Gender, Children and Social Protection. (2015). *Child and family welfare policy*. Accra, GH: Government of Ghana.
- Monaghan, K. (2012). Early childhood development policy: The colonization of the world's childrearing practices? In A. Twum-Danso Imoh & R. Ame (Eds.), *Childhoods at the intersection of the local and the global* (pp. 56–74). Basingstoke, UK: Palgrave Macmillan.
- National Association of Social Workers (NASW). (2017). *Code of ethics of the national association of social workers*. Washington, DC: Author. https://www.socialworkers.org/LinkClick.aspx?fileticket=ms_ArtLqzeI%3d&portalid=0
- Ndofirepi, A. P., & Shumba, A. (2014). Conceptions of "child" among traditional Africans: A philosophical purview. *Journal of Human Ecology*, 45(3), 233–242.
- Okyere, S. (2014). Children's participation in prohibited work in Ghana and its implications for the Convention on the Rights of the Child. In A. Twum-Danso & N. Ansell (Eds.), *Children's lives in an era of children's rights: The progress of the Convention on the Rights of the Child in Africa* (pp. 92–104). Abingdon, UK: Routledge.
- Olowu, D. (2002). Protecting children's rights in Africa: A critique of the African Charter on the Rights and Welfare of the Child. *International Journal of Children's Rights*, 10, 127–136
- Onwauchi, P. C. (1972). African peoples and Western education. *Journal of Negro Education*, 41(3), 241–247.

- Penn, H. (2012). The rhetoric and realities of early childhood programmes promoted by the World Bank. In A. Twum-Danso Imoh & R. Ame (Eds.), *Childhoods at the intersection of the local and the global* (pp. 75–93). Basingstoke, UK: Palgrave Macmillan.
- Pilon, M. (2003). *Foster care and schooling in West Africa: The state of knowledge*. Paris, FR: UNESCO.
- Porter, G., Abane, A., Blaufuss, K., & Acheampong, F. O. (2011). Children's rights, mobility, and transport in Ghana: Access to education and health services. In R. K. Ame, D. L. Agyenyiga, & N. A. Apt (Eds.), *Children's rights in Ghana: Reality or rhetoric?* (pp. 15–36). Lanham, MD: Lexington Books.
- Sackey, H. A. (2007). *The determinants of school attendance and attainment in Ghana: A gender perspective*. AERC Research Paper 173, African Economic Research Forum. Nairobi, KE.
- Sayre, R. B., Devercelli, A. E., Neuman, M. J., & Wodon, Q. (2015). *Investing in early childhood development: Review of the World Bank's recent experience*. Washington, DC: World Bank.
- Serra, R. (2009). Child fostering in Africa: When labor and schooling motives may coexist. *Journal of Development Economics*, 88, 157–170.
- Staub-Bernasconi, S. (2016). Linking two traditions of human rights in social work. *Journal of Human Rights and Social Work*, 1, 40–49.
- UN. (1989). *Convention on the Rights of the Child*. New York, NY.
- UN. (1994). *Teaching and learning about human rights: A manual for schools of social work and the social work profession*. New York, NY.
- UN Development Programme (UNDP)/Government of Ghana. (2015). *Ghana Millennium Development Goals 2015 Report*. New York, NY.
- UNICEF. (2011). *Report of the mapping and analysis of Ghana's child protection system: Final report*. Hong Kong, CN: Child Frontiers.

