

## CHILD ABUSE AND ITS MONUMENTAL CONSEQUENCES IN CONTEMPORARY NIGERIA: ISLAMIC PERSPECTIVE

By

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### Abstract

Child abuse which refers to all forms of illicit acts against children has reached alarming rates in modern-day Nigeria. Surprisingly, most of those that are seriously affected have been poor children. Meanwhile, Islam seriously condemned all sorts of abuse towards children. Its norms to the children are love, mercy and compassion as documented in the Qur'ân and Hadîth which are also uniquely practised by the Prophet (S) and his companions. Hence, this paper draws the attention of Nigerian parents and guidance in particular, and the entire world in general to the Islamic stand against child abuse and its monumental consequences as contained in the Sharî'ah. It also conceptualises child abuse, discusses its causes and effects in Nigeria and highlights systematically the Islamic approach towards ameliorating it. The paper also examines the concept of child abuse, its meaning from the Islamic point of view and scholastically highlights its forms with respect to modern-day Nigeria. In doing these, it employs historical and expository methods in driving home its points. The paper argues that the rate of child abuse in Nigeria is alarming and suggests some urgent and research-based steps to be carried out by the parents, the government and Nigerian citizens in reducing the rate at which children are being abused in modern-day Nigeria. It then concludes by suggesting the application of Maqâsid al-Sharî'ah as related to the children's well-being as remedies for preventing child abuse in Nigeria.

**Keywords:** Child Abuse, Children, Maqâsid al - Sharî'ah, Modern-day Nigeria.

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### 1 Introduction

Child Abuse in its various forms had been a global phenomenon across the ages, civilisations, cultures and societies. Female Infanticide, being one of the oldest forms of abuse, had occurred in many ancient civilisations and even in the medieval period. For instance, civilisations such as Greek, China and pre-Islamic Arabs practised it. Further, some ancient cultures did use missing children for human rituals to

appease gods for cleaning the community. Also, there were cases of child abuse in countries such as Europe, North America, Australia and New Zealand where children under 15 years worked on commercial Agricultural farms. At the close of the 18th century, there were great exploits of very young children in industrial works, otherwise known as child labour. In all of these, it comes in the form of slavery, bondage linked to family debts or Serfdom

children, pornography and prostitution as well as the production and trafficking of illicit drugs (Akano, 2013:37).

In modern-day Nigeria, there are cases of kidnapping, killings and raping of innocent children for money making and other rituals (Olowu, 2008:48). In Islam, the well-being of the entire human being is paramount. Thus, the behaviours of man toward its family members and by extension the rest of human beings irrespective of their religious affiliation must be free from all forms of abuse. All these are contained in Maqâsid al - Sharî'ah as documented in the Qur'ân and Hadîth. These documented principles controlled Muslim lives including the kind treatment of children by the elders among other virtues. This is contained in both the Qur'ân and Hadîth. In Qur'ân 8 âyah 8 for instance Allah says:

*“And know you that your possessions and your progeny are but a trial: and that it is Allah with whom lies your highest reward”.*

The Prophet (S) was also reported to have said:

*“Those who do not show mercy to our young ones and do not realise the right of our elders are not from us. (A true believer) (Abû Dâwûd, 2003: 4943)”.*

The above Qur'ânic âyah and Hadîth explain the need to treat the younger generations with love, affection and kindness by the elder generations while the elder generations likewise deserve respect from the children. Islam further kicks against all forms of abuse against children and also describes them as special gifts and Amânah (monumental trusts) as well as a trial to the parents from Allah which attract reward or punishment in the hereafter depending on the parent's disposition toward their use. In line with this current

trends of child abuse and the above cited Qur'ânic âyah and Hadîth, the paper draws the attention of Nigerian parents and guidance in particular, and the entire world in general to the Islamic stand against child abuse and its monumental consequences as contained in the Maqâsid al - Sharî'ah (the goal or ultimate objectives of Sharî'ah). It also conceptualises child abuse, discusses its causes and effects in Nigeria and highlights systematically the Islamic approach towards ameliorating it.

## 2 General Conceptualisation of Child Abuse

A child, to start with, is somebody who is under 14 years of age. In Nigeria's context, a child is he/she who falls between the ages of 0 (zero) and 18 (eighteen) years. The term abuse, on the other hand, refers to any act that is contrary to the acceptable norms or manners established by society (Olaniyi, 2013:143). In the context of this work, abuse is an intentional use of power or authority unsuitably or unjustly. Hence, abuse in relation to a child is an intentional use of a child unfairly or act improperly to a child. However, to Rodho (2015:187), what is considered abuse in one culture is often considered normal in another culture. This shows that the word abuse is a relative word. Hence, child abuse as conceptualised by Ayegboyin (2013:2), is an act of maltreating, intimidating, or forcible inclusion or entry into children's psychotic to control him or her. In the United States of America, it is defined as a series of acts of commission or omission by parents or other caregivers that result in harm, the potential for harm or threat of harm to a child (Akano, 2013:38).

In the opinion of the researchers, child abuse can be seen as an act of disregard or a lackadaisical attitude of parents or guidance toward the psychological, physical and emotional needs of a child. It can also be referred to as any form of neglect

or carefree attitude toward a child's physical, moral or mental well-being. These, to the researcher, may involve: blowing, beating or inflicting injuries or raining verbal abuse on a child. However, Jayeoba (2013:65) avers that child abuse may include among others: negligent treatment of a child's welfare for normal development, denial of basic rights of a child and denial of the basic need of a child by parents, schools, peers, government and community. In the context of this work, abuse against children in its comprehensive form is a complex phenomenon that includes: physical abuse, sexual assault, verbal harassment and psychological abuse, neglecting the material and moral needs of children, and deserting them without paying attention to who should take care of them or giving them up to a known person or institution. These may take place at home or school, in the street, at work or inside welfare houses such as orphanages or reformatories.

### 3 Child Abuse in Islam

Islam is an all-embracing religion which includes child rights among its basic teachings with an emphasis on the duties of parents. It also condemns all forms of violation of human rights as well as child right. In Islam, child abuse as a social problem is not a new challenge, it contains in the Qur'ân in the stories of Ancient Jews and Arabs (Q. 16:58-59). Meanwhile, child right in Islam includes the right to life, the right to proper feeding and shelter, right to quantitative and useful education. In light of this, child abuse from an Islamic perspective as defined by Hamdzah and Fatah-Yasin (2016:38) is the violation of children's basic physical and emotional needs as well as their development in terms of health, education, religion, moral conduct, spiritual, emotions, nutrition, shelter, and security. It is also considered in Islam as an act of abusing children by

denying them their religious rights, endangering their lives, exploiting them sexually and misappropriating their property.

In the context of this work, child abuse in Islam is a sin against Allah and a large-scale crime against children which attracts castigation in this world and the hereafter for whoever commits it. Islam condemns this act in strong terms because it dehumanises the children involved and destroys the community at large. In Islam, children are seen as monumental gifts from Allah which must not be unlawfully used nor mismanaged (Fatah-Yasin, 2012:48). As such, Islam puts in place laws that protect children against all forms of abuse. This is contained in Qur'ân 8 âyah 8 and the Hadîth from Sunan Abû Dâwûd which have been both cited *inter alia*. In Islam, children are seen as a trial for the parents and guidance when their rights are violated or denied. They turned to crimes of various forms as the case is in this modern-day Nigeria (Jayeoba, 2013:65).

In several Qur'ânic âyât (i.e. Q. 64: 15, Q. 17:64, Q17: 30), children are seen as enemies to parents and by extension the entire community when they behave in violent manners due to lack of proper care and good upbringing. The recent highjack of peaceful protest by the hoodlums from well-meaning Nigerian youths in October 2020 is one of the effects of bad parenting. The peaceful protest was well coordinated in the first week but when criminals who lack proper upbringing found their way in, the whole exercise was turned to violence in the second week the aftermath of which led to wanton destruction of lives and properties. As suggested by some of these âyât, parents and guidance should make adequate provision for their children's needs and must not in any way abuse them. This is because children are seen as trusts that must be handled with care and more importantly, they must be protected, fed, clothed, educated and loved.

#### 4 **Forms of Child Abuse in Modern-Day Nigeria**

Child abuse is a global issue but it assumes different dimensions in Nigeria. In the country, it comes in the form of physical, sexual, emotional and verbal abuse among others. Various forms of these abuses arise from prevalent poverty and ignorance among other factors. Indeed, physical abuse is one of the most common forms of child disciplinary action in Nigeria. The physical form of abuse that operates in Nigeria includes all forms of pinching, biting, choking, beating and other acts that can cause physical injury or pain to the people to which this was done. Findings from various Nigeria based-researches have shown that physical abuse has a serious influence on the physical, socio-economic and mental/health development of a child. For instance, Wahid and Nagra (2018:1101) attribute slaps as the causes of ear drum perforation among housewives, maids and children.

Additionally, Sexual abuse of children is one of the most frightening abuses in recent times. Sexual abuse is commonly defined as any form of sexual contact or conservation in which a child is sexually exploited to bring sexual gratification to the exploiter (Mc Dowell & Hostelter, 1996:89). It is an act of exploiting a child by an adult which comes in form of paedophilia if a female child is involved. Meanwhile, if a boy is involved, it is known as pederasty, rape and incest. Hence, Phedophia is the most secretive of this act and it can be known to people through crisis, pregnancy or sexually transmitted disease. In modern-day Nigeria, there have been cases of uncles raping their cousins, cousins raping their nephews, sons sleeping and having sex with their stepmothers, or stepfathers sleeping with stepdaughters. Also, children are being used for the production of pornographic materials. Religious leaders most often are guilty of child abuse (Helen, 2013:21).

Unfortunately, it is an ever-increasing epidemic in several parts of the country, especially amidst just witnessed covid-19 lockdown.

Undoubtedly, every globally acclaimed religion teaches and preaches against all forms of sexual abuse. In Judaism, the standards of physical purity were given the highest recognition. In this wise, only a mature soul has the right to marriage and it is only a married person that has the right to have sexual experience. Also, the body of every unmarried youth and teen remains sacred and untouched till after a formal wedding (Deut. 22: 13-30). In Christianity, sexual experience before marriage is an abomination and there should be no sex after the marriage except with one's spouse (Matt. 5:27-28 and Heb. 13:4). A Christian doctrine goes further to claim that the fornicators and adulterers are to be punished with the death penalty when caught (Lev. 18-20, John 8:3-11). In Islam, fornicators are to be given ten strokes of a cane while adulterers are to be stoned to death as contained in Maqâsid al - Sharî'ah (Doi, 1984:96).

Coupled with sexual abuse is child trafficking. This is an extreme form of child labour and has been attributed to the high rate of poverty in the country. It is an act whereby parents or guardians voluntarily hand over young people below 18 years to a third person, intending to exploit the person in question (Olowu, 2008:48). Emotional neglect by parents is another form of child abuse in Nigeria. This can be in the form of parent hostility to or terrorising, rejecting and insulting a child. It is also in the form of emotional deprivation, lack of love, and empathetic attention towards a child. It manifests in inappropriate appearance and dressing, angering, and kwashiorkor while non-humanisation of children and anti-natal neglect are also included (Olowu, 2008:50). Identically, verbal abuse is also one of the most common forms of child abuse that is

prevalent in Nigeria. This has a negative effect on the psychological and emotional development of Nigerian children. This, in the context of this work, can come in the form of verbal expression that can make a child feel bad mostly about him or herself. This can come in the form of insults or bad comments about a child and various forms of curses. This form of abuse can lead a child to poverty which in most cases exposes a child to accidents, poor academic performance and juvenile delinquency among others.

## **5 Causes and Effects of Child Abuse in Nigeria**

Divorce is one of the major causes of child abuse whose adverse effects on the children are alarming. In this case, children are more vulnerable than adolescents and seem a bit more enduring for boys than girls. More importantly, the proportion of working mothers with growing up children in Nigeria is greatly increased as a result of the high rate of divorce in the country. This has accounted for the reason why teenagers, male and female are being taken away from outside the country serving as labourers. Most of the female victims of repatriation became prostitutes outside the country and thereby risked their lives to all types of dangerous diseases associated with promiscuous acts (Ayegboyin, 2013:12).

Additionally, some parents have neglected their children with a lack of good upbringing and proper guidance. They leave them at the mercy of others who could hardly give proper guidance but rather engage them in street hawking. In modern-day Nigeria, most of the streets, particularly in the major cities such as Lagos, Ibadan and Abuja among others are flooded with young children who suffer parental neglect. They have become hardened criminals, armed robbers and area boys as a result of a lack of parental care and attention. Moreover, the proliferation of young Nigerian males in bus

conductors in transport services is another cause of child abuse. The drivers often abuse some of these boys by sending them to buy hard drugs. The consequence of this is that some of these boys become addicted to drugs and other forms of delinquent behaviour. Visitation to car parks in major cities in the country will enable one to count the number of children that are involved in this type of act.

Lastly, one of the major purposes of getting married is to procreate but in case of the death of either of the spouses. The children may lack some basic necessities of life and they will be subjected to a situation that may lead to unavoidable abuse. Further, some policies made by the Nigerian government are unstable due to frequent changes in power. One of these policies is a regular increase in school fees. This in most cases results in drop-outs by some students, if the parents of such students are unable to pay. The victims in most cases usually join bad groups that baked them as criminals and eventually become threats to the community. Some of these groups have been responsible for the highjack of just witnessed a peaceful protest by the youths in which many security officers were killed.

Summarily, there is never a course without effects on man's life. The abused child after being victimised became disillusioned, shamed and aggressive. They query whether the best time of their life could come any more. They are prone to depression, alcoholism, drug addiction, promiscuity, family dysfunction and such a child might have suicidal tendencies (Olowu, 2008:46). It must be emphasised that the greater the gravity of abuse, the greater the effect on the abused child. Children subjected to abuse may be driven towards addiction, may escape from home, or may even attempt suicide. Other effects are frustration, lack of self-confidence, poor school performance, isolation and lack of interest in taking part in any activity. Child

abuse lowers the worth of the abused child and could lead to severe injuries, disability, anti-social behaviours, lack of concentration, apathy, dullness and even death.

## 6 Islamic Mechanism toward Reducing the Rate of Child Abuse in Nigeria

Islam respects the physical and psychological well-being of an individual regardless of his/her gender, ethnicity, age and religion. As regards the protection of children against physical and psychological killings Qur'ân 49 âyah 13 says:

*Assassinate not your wards for fear of poverty! We will surely furnish them and you with your need. Verily, assassinating them is a grave sin.*

In line with this verse, children are unique sacred gifts and trust from Allah that must be treated with care. Ill-treatment of them is tantamount to mishandling the trust reposed on mankind by Allah. In Islam, children are entitled to various rights which include proper upbringing and education among others.

Also, children are expected to be endowed with suitable, sufficient, sound and adequate religious, ethical and moral guidance that will guide them for their entire lives. They should be taught the true values of what is right and wrong, what is socially and religiously accepted and rejected. Moreover, the best form of ethical and moral guidance and training to be given to a child is to instil in him the right belief and faith. These will guide him towards the attainment of the pleasure of Allah in this life and in the hereafter. This is because an ideal child is one who has a good relationship with Allah through constant adherents to His dos and don'ts. In light of this, the inability of the parents to show their children religious awareness and their

responsibilities toward Allah is a spiritual abuse on the children concerned. To this, Qur'ân 66 âyah 6 says:

*O you who believe, protect yourselves and your families from a fire whose fuel are people and stone. Over which are (appointed) angels, harsh and severe, they do not disobey Allah in what He commands them but do what they are commanded*

Assuredly, effective implementation of the above-mentioned injunctions will reduce the rate of child abuse in modern-day Nigeria and by extension in the entire world. Also, the Prophet (S) as a role model for believers was very merciful and compassionate to the children. It was narrated by Abû Qatâdah that:

*The Messenger of Allah came towards us while carrying 'Umamah, the daughter of Abû Al-`As (Prophet(S)'s granddaughter) over his shoulder. He prayed, and when he wanted to bow, he put her down, and when he stood up he lifted her up" (Al-Bukhari, 2003: 4824).*

This Hadîth explains the nobility and tenderness of the Prophet (S) toward the children. This was an era when the killing of female children was the order of the day. The attitude of the Prophet (S) cited above is an example of the Islamic mechanism for curbing child abuse in the ancient Arabs which should be emulated in modern-day Nigeria.

Various forms of abuse against children's lives are known as one of the grave sins in Islam, and no one is allowed to abuse his or her children regardless of any reason. Child abuse violates the trust (amânah) of Allah in mankind and prevents children from having the normal life that they deserve. As a way of eradicating child abuse parents and guidance should get their

children the appropriate future-oriented knowledge in order to ensure the optimum development of their children. This is in line with one of the sayings of Ali Ibn Abû Tâlib which goes thus:

*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 (Al-Sharif, 2005:174).*

In line with the above statement, parents and guidance should get their children prepared for future challenges in order not to be part of the challenges of the future.

Further, Islamic family law as enshrined in the Maqâsid al - Sharî'ah has some marriage guiding principles which protect the security and welfare of a child. Such that if the marriage is guided by these principles the couple will live in harmony and the welfare of the children will be guaranteed. In line with this, one of the fundamental pre-requisites for preventing child abuse is to painstakingly have a choice of spouse. Pious spouses in most cases produce pious children. In addition to this, every child has the right to a full two (2) years nursing period. Next to this is the right to live by this we mean that a child has the right to survival from the moment of its conception till birth. This right must not be abused or terminated by abortion.

Similarly, every child in Islam has the right to a good name, sound religious and moral guidance, right to ownership, inheritance, and bequeathed among others. Children who are orphans have the same rights as other children which must be provided by the society or government as the case may be. If all these are provided, they will not be victims of abuse as a result of a lack of guidance and proper mentoring. Also, Islam considers abusing the religious right of children, endangering their lives,

misappropriating their property and maltreating them as blatant crimes. Islam provides viable options for the arrest of all forms of child abuse which include: respect for justice, protection of human life, and dignity of public welfare, especially the children who are the most vulnerable (Fatah-Yasin, 2012:79). In addition, Islam apportions to a child: right to a good and moral upbringing, right to receive a good education, training and skills that will make them earn a livelihood and live an independent life in their adult age. It also recommends the need for total respect for justice, protection of human life and dignity as well as public welfare, especially the children who are the most vulnerable.

## 7 Conclusion and Recommendations

It has been established so far that, child abuse has become one of the greatest problems confronting Nigeria in recent times. The challenge of reducing the rate of child abuse is however battered by the high rate of poverty, divorce and lackadaisical attitude of some citizens to the cases of child abuse in their various communities among other factors. Despite these, efforts are repeatedly ongoing by religious leaders, the media and Nigerian political leaders. It is in contribution to these efforts that this paper establishes that child abuse is an infringement on the God-given right of a child. It itemised some of these abuses and examined their causes and effects on the children in modern-day Nigeria. This paper then proposes the application of Maqâsid al - Sharî'ah as related to Islamic law as a panacea to the problem. Finally, the following recommendations were given as remedies for the prevention of child abuse with reference to Nigerian society:

- (i) Parents and guidance have the responsibility to encircle their children with kindness, love and compassion.

- (ii) The Child right Act should be amended and passed into law by the National Assembly to include religious rulings which place the compulsory care of the children on the parents and that of the orphans on the community and the country.
- (iii) Religious organisations and the entire Nigerian citizens have roles to play by reporting cases of child abuse to appropriate quarters in the country.
- (iv) Religious organisations in the country should also help the government in solving the problem of mass poverty and unemployment.
- (v) Religious leaders should use their position as custodians of morals to sensitise and counsel their members on the negative effect of divorce on individual homes and the country at large.
- (vi) Government should regulate the rate at which some tertiary institutions in the country are charging students exorbitantly, to reduce the rates of student drop-out associated with hikes in school charges.
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