

# **Substituting Social Welfare Policy with Traditional Indigenous Discipline of Juvenile Delinquency in Lagos State, Nigeria**

***Bukola Adenike***

***Alao***

***Victor Adetoyese***

***Adesiyani***

***Odunayo Damilola***

***Adeleke***

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## ***Abstract:***

The continuous existence of any society depends on its ability to socialize children into the art of survival and cultural perpetuation through quality upbringing and preparedness of the children for the future. But it's rather unfortunate that modern societies suffer from the attack of a menace of delinquency in juvenile. Globally, the modern management and control of delinquent behaviors in juvenile has in decades been slowly active. The government has been preoccupied with the arduous task of finding the most effective means of countering the menace. It is against this background that this study attempts to examine the fundamental traditional methods, rites, beliefs and values of handling situations as this which still exist in various communities of the globe but in a very minute way. The study adopted an exploratory sequential mixed-methods design with a population of 1,115 civil servants in Lagos State. Validated structured questionnaire with Cronbach's alpha coefficients ranging from 0.65 to 0.85 was used to collect survey data. Response rate was 96%. Qualitative data were content analyzed while quantitative data were analyzed using descriptive statistics (mean and standard deviation). A mean range of 1.49 to 5.00 was used to scale all variables. The study will show the efficacy of a trado-social order in the management, control and upbringing of the juveniles for a better tomorrow.

**Keywords:** Social Welfare Policy, Traditional Rites, Belief, Values, Juvenile Delinquency, Indigenous Crime Control and Mix-method.

## INTRODUCTION

Childhood in African philosophical thought is considered as delicate as holding an egg in one's palm. Holding an egg too tightly crushes it, while similarly; loose handling may result in the egg falling off and getting destroyed. Childhood is a delicate concept in African traditional system, which provides a political and social space for children to develop and perpetuate the cultural legacies of their ancestors (Boakye-Boaten, 2010).

African societies believe that kinship and seniority were the two overarching principles that guided human relations. The principle of kinship entailed the welfare of children by communal and co-operative efforts whilst that of seniority demanded that children unquestioningly deferred to others. Any child that exhibited acts of infraction was punished by agents of social control in the community (Sigmund, 1996 in Oguniran 2014). More so, African children were not only accorded respect by members of the society, but also it was the responsibility of the society to ensure the protection and proper socialization of children. The African child is trained and guided to conform to tenets of the culture and the prescribed paths set by the custodians of the culture. It is important to emphasize that children in traditional Africa were perceived to be human beings in need of help and direction because they are perceived to be naïve, innocent and open to adaptations of any kind (Kimani 2010).

Nigeria an African country also has cultural believes and practices that showcase the importance of children in the family both at the nuclear and extended level. Children are perceived as priceless and welcomed with joy. For example, the Yoruba people of the southwest of Nigeria believed that the child chooses his or her destination or it is sometimes sent by God. Childhood therefore entailed a spiritual component. The traditional belief system assumed that children were reincarnated beings who had lived and died in their previous generations.-(Kimani 2010).

However, these cultural practices for ensuring the protection and perpetuation of childhood values and integration within the Nigerian societies are arguably and gradually becoming undermined, fading out and misinterpreted due to civilization, globalization and development. Atilola, Omigbodun and Bella-Awusah, 2014).

Transition from the traditional practices to statehood and all its requirements, adaptations, inclusion and borrowing of modern practices and beliefs have twisted to some extent and confounded the society with both the good/positive and the bad/negative practices. These practices and the numerous changes in the society at large were miniaturizing the quality in morality of the Nigerian children and still introducing ways of escape in form of modern solutions by the state, presenting corrective measures like rehabilitation in place of punishment, remand homes, and correctional centres among others. In spite of these corrective measures, juvenile delinquency is fast becoming one of the major problems facing the contemporary Nigeria society. Modernity has aided different factors ranging from poor parenting, to bullying at schools, poverty and the search or desire for survival. Hence, Juvenile delinquency has become a complex problem that exacts a substantial and continuing toll on our present day Nigeria. (Muhammed, Salawu, Adekeye, Ayinla & Adeoye 2009).

It is rather unfortunate that issues concerning children's welfare, rights and opportunities fall outside the policy areas for which the National Assembly can make laws binding all states in Nigeria. Since 2003 when Nigeria adopted the Child Rights Act for domestication, to date, 24 States (including the Federal Capital Territory) out of 36 States of the country have passed the Act, and even in States which have incorporated it into their domestic law there is the lingering problem of implementation. Advocacy continues all States to pass the Act as it is noted that violation of the Act is a major reason for the high rate of child labour, cultism, abuse and illiteracy in the society, (The Guardian, 2017).

Hence, the reason for advocating for a functional social welfare policy that is generally acceptable and in tandem with the traditional pattern of discipline a child. (Welsh, 2014).

### Conceptualizing Juvenile Delinquency

This term varies from one country to another, for instance, in many European countries a minor is legally considered a delinquent only if their breach of the penal code is an offence for the whole population, However, in other countries particularly in the United States of America, the charges on which a minor appears before a court cover a whole range of behavior such as truancy from school, consistent disobedience to parents, consumption of alcohol, smoking in public, etc. are all considered juvenile offences.

Meanwhile, in the early nineteenth century juvenile delinquent was ensuing in the midst of wider concerns about unemployment, lack of discipline and moral degeneration, but by the early twentieth century the troublesome adolescent was invented in the midst of concerns especially boy labor, street leisure and imperialism. By mid-twentieth century notions of troubled offenders were constructed reflecting the increased presence of welfare agencies and professionals at the time. More recently, according to Adeboye (2015), the term “juvenile delinquency” was established so that young lawbreakers could avoid the disgrace of being classified in illegal records as criminals, he went further to define juvenile delinquency as the resistant antisocial, illegal or criminal behavior by children or adolescents to the level that it cannot be controlled or corrected by the parents, endangers others in the community and becomes the concern of law enforcement agency. Likewise, Edet (2012) says juvenile delinquency is a crime committed by a young person under the age of 18 years as a result of trying to comply with the wishes of his peers or to escape from parental pressure or certain emotional stimulation. Chukwuma (2001, p. 12), opined “juvenile delinquency is the violation of the criminal codes regulating the behavior of young persons in the society”. Relatedly, Shoemaker (2010, p. 3) as recorded in Ugwuoke & Duruji (2015) defined juvenile delinquency as “illegal acts, whether criminal or status offences, which are committed by youth under the age of 18”. While Kudirat (2010) juvenile delinquency as a criminal behavior among young people as they negotiate the transition from childhood to adulthood in an increasingly complex and confusing world. In short, juvenile delinquency is any act in violation of criminal law, committed by a person defined under law as a juvenile or participating in an illegal behavior by a minor who falls under a statutory age limit(Ryan, Siegel & Welsh 2014; Atilola 2013; Marshall, Herz, and Hernandez 2008; Regoli 2006)

Over the years there have been significant international documents and guidelines to firmly integrate juvenile justice within the legal framework of each country with a strong focus on child rights. Judicial norms for juvenile justice are determined by the way a particular society regards “children” and “juveniles”. The juvenile justice system of any nation is reflected in the legal definitions of the “child” or “juvenile.” Furthermore, these norms are not only reflected in the actual legal definition but also in the practice of the law. A highly punitive system might prosecute children at a young age and hold them accountable as adults at

an early age as well. On the other hand, a more permissive system might not prosecute children until they are adolescents and maintain more protected status for young people until they are much older.

### Social Welfare Policy and Social Services

Social Welfare Policy cannot be discussed in isolation, because it is an extract of the Social Policy. The socialist argument of social welfare policy as described by Shiffman & Smith (2007) is that its benefits are a gift from the state, 'a genuine act of governmental benevolence, and true manifestation of socialist humanism'. Social welfare policy and program is concerned with human welfare which is "a state or condition of well-being" of every citizen of a state. Scholars say that the opposite of a condition of social well-being is "social ill fare". This study adheres to the definition of the concept "as a state or condition of human well-being that exists when social problems are managed, when human needs are met, and when social opportunities are maximized" (Ahmed, Alhassan & Alshammari, 2017; Blau & Abramovitz 2004, Ireje 2017, Inter social welfare and welfare concept. 2017).

United Nations in (1967) defines social welfare as a body of activities designed to enable individuals, families, groups and communities to cope with the social problems of changing conditions. It also stated that social welfare is a proactive means of addressing fundamental problems of social life such as health conditions, environmental hazards, poverty, homelessness, urban slums, urban risks etc. United Nations believed that every nation must be committed to the obligation of delivering efficient social welfare and social service programs (UNICEF, 2018)

Instrumental to the implementation of social welfare programs of the government is social service which includes: care of the elderly, juvenile delinquents, indigent children, prisoners, ex-convicts, health care services usually rendered by government's officials to the general public, infant, children, the older adults, people with disabilities, visual or auditory and other vulnerable members of the society and others. While modern society added more to the duties and responsibilities of the state in terms of welfare services and social policies contained in the welfare program of government, social services rendered by government are expected to touch every segment of society, particularly the needy. Social services are not usually restricted to the public

sector; it can as well be undertaken by voluntary organizations. When undertaken by voluntary organizations, they are expected to conform to the policies and program of the government where they operate (Blau & Abramovitz 2004, Bammeke & Durowade 2006).

Social welfare programs exists at different levels; it can apply to individuals, families, associations, organizations, communities and even the society as a whole, because social ill fare can exist at all levels, only that experiences and circumstances differ and mode of management differs as well. And any society that can manage their social challenges better than others is said to have a higher degree of social welfare policy.

Hence, societies that fail or are still struggling with providing required education, job opportunities and other means by which people can realize their potential often have high rates of crime and violence as people seek alternative and mostly illegitimate means of improving their social status, all mentioned are peculiar to the developing countries of the world including Nigeria.

#### Child Welfare Policy

Child Welfare is a specialized field of practice with a focus on the protection and welfare services of a nation on behalf of its children, including its educational system, medical services, parks and recreational facilities, even its road, highways and families (Charles, Ikoh, Iyamba & Charles, 2005). Family is inclusive in this list because every child grows best within his/her own family (Ogwokhademhe, Ajiboye & Yahaya 2014). It is therefore the reason why any policy, program or services that supports the family ought to also to support child welfare. Children have needs in common with adults, but their dependency on adults particularly in the first few years brings additional specific needs. “Being born human is not a sufficient condition for becoming human”, the latter requires a long process of socialization and education (Gomment 2016; Hart 2013 & Kimani 2010)

Helping the vulnerable population develop to their full potential is an attractive idea with expansive common-sense. Vulnerable and socially silenced children, have very few options for protecting themselves. Hence, available reports (Shinkman 2018 & UNESCO 2008) indicate that Nigerian children are highly vulnerable due to many factors like: politics, economic, religion,

traditional practices and social factors which often result mostly in delinquent behaviours (Shireman, 2015, Mallon & Hess, 2014; Child Welfare Information Gateway 2012; Blau & Abramovitz 2004; Kohl, Barth, Hazen, & Landsverk 2005).

Therefore, the welfare of any child connotes activities, services and program that are focused on ensuring that all children live in safe, permanent and stable environments that support their well-being. Child welfare simply connotes response specifically to the needs of children. Its focus is to protect children from every form of ill treatment and ensure that children grow up in circumstances consistent with the provision of safe and effective care; and ability to take action (s) that enables all children to have the best outcomes.

Child Welfare is a critical government responsibility which includes protecting children from abuse and neglect, and ensuring that children have safe, stable, and permanent living situations. It also involves providing social services to children and youth whose parents and/or communities cannot adequately provide or care (Blau & Abramovitz 2004). Several reports from the Nigerian Police Force, Child Welfare agencies, UNICEF (2005 To 2018), WHO (2018) have raised several concerns on abused, neglected and child at risk of maltreatment (UNICEF 2005- 2018; WHO 2018; Mallon & Hess, 2014; & Shireman, 2015; Iguh & Nosike, 2011). These concerns have necessitated the establishment of state departments, agencies and bodies saddled with the responsibilities of child welfare services, child protection and development to specifically and intentionally uncover legislation and policies that provide specific rights for children, services that support the protection of children within communities and the society at large, as well as cater to families that need assistance in the protection and care of their children; including arranging for children to live with kin or with foster families when they are not safe at home; and arrange for reunification.

UNICEF states that building a safe environment for children includes the following core components; strengthening government commitment and capacity to fulfil children's rights to protection; promoting the establishment and enforcement of adequate legislation; addressing harmful attitudes, customs, and practices; encouraging open discussion of child protection issues that includes media and civil society partners; developing children's life skills, knowledge, and participation; building the capacity of families and communities; providing

essential services for prevention, recovery, and reintegration, including basic health, education and protection of children; and establishing and implementing on-going and effective monitoring, reporting, and oversight (UNICEF (nd); Blau & Abramovitz, 2010).

These are the reasons for expected guiding principles and mechanisms in form of policies for the protection of children and youth from violence, abuse and all form of negativity. Child welfare policy includes legislation, policies, regional and national structures on the care and living of a minor/child. Whilst the legislation and policies are wide ranging, there are challenges around the knowledge of legislation amongst people and communities, the relationship with law and practices and their practical implementation, hence the need for information on the protective internationally, regionally and nationally legislation on child welfare, as well as some of the issues and gaps relation to application of these legislations.

### Social Control Theory

This theory was introduced into sociology by Travis Hirschi in 1969 in his book "Causes of Delinquency", it became a benchmark for theory construction and research in the delinquency field, and it is also a theory to criminology known as the Social Bond Theory. This theory was proposed because Hirschi did not buy into the earlier theories of crime and delinquency such as the Strain Theory or Differential Association Theory, he believed that both maintained the belief that criminal behavior was either learned or caused by occurrences or conditions in one's environment. Hirschi's theory rests on the Hobbesian assumption that human behavior is not naturally conforming, "but that we are all animals and thus naturally capable of committing criminal acts", which proves that delinquency is a part to human nature. Hence, it is conformity that must be understood and conformity is achieved through socialization, the formation of a bond between individual and society.

Social control theory, therefore argues that "crime and delinquency occur when an individual's ties to the societal conventional order or normative standards are weak or largely nonexistent" and that the stronger an individual ties with each element of the social bond, the less likely delinquent behavior. The social control theory also known as social bond theory explains that there are different bonds an individual must make that will determine whether or not

he/she will commit offences. They comprised four major elements: attachment, commitment, involvement, and belief.

The first one is an attachment, meaning that the socialization of an individual depends on an individual's personal interest in another human being (family). The family environment is the source of attachment because parents act as role models and teach their children socially acceptable behavior.

The second one is a commitment, which means that a lack of commitment towards norms and social laws can lead to delinquent behavior.

The third bond is involvement which means participation in conventional activities that will lead toward socially valued success and status objectives reduce delinquent behavior. Hence, an individual who participates in positive activities would not have the time to commit criminal acts.

The fourth and final bond is belief and it states that when a person does not live in an area that holds the same values or belief delinquent behavior is almost inevitable.

This theory proposes that all people from birth are basically 'bad apples' that must be controlled by laws, rules and regulations to keep society in check. It goes on to maintain that those who have a weak bond to societal controls end up participating in deviant or criminal behavior. (Crawford 2014; Pratt, Gau & Franklin 2011 & Jones, 2008).

This theory is adopted because of some of its propositions that: individuals have inherent ability for evil, and such children have an inherent ability for delinquent behavior, which in their opinion is the best course of action at the time. In other words the environment and circumstances surrounding us as individual is a major determinant of who and what we become, for children the desire to be like their either parents, siblings, peers or fit into the world and life style they see, hear of and imagine, due to the social constraints they most times end up with delinquent life style.

While this position does not absolve the individual from the consequences of his/her delinquent actions or behavior, the stake focus is seeking to provide separate channels of handling juvenile matters like courts and flexible alternatives to imprisonment. It proceeds on the premise that the rights and disposition of children are different from those of adults and this should be

reflected in the way they are treated. Emphasis was placed on the shift from traditional practice of correction to the modern steps which are: rehabilitation instead of punishment, prevention rather than retribution, as the principal goals of the juvenile justice system. Further, it advocates special procedures, distinct correctional facilities for children in conflict with the law and deinstitutionalization for minor offences. The above goals and features are captured in the Children and Young Persons Laws that are applicable in all the states of the Federation, the focus is also on relationships, socialization process and the role of the environment.

## METHODOLOGY

The study adopted an exploratory sequential mixed-methods design with a population of 1,115 civil servants in Lagos State. Taro Yamane's formula was used to determine a sample size of 658, which yielded proportionately 657 civil servants. Respondent were selected using snow balling technique. Validated structured questionnaire with Cronbach's alpha coefficients ranging from 0.65 to 0.85 was used to collect survey data. Response rate was 96%. Qualitative data were content analyzed while quantitative data were analyzed using descriptive statistics (mean and standard deviation). A mean range of 1.49 to 5.00 was used to scale all variables.

## DISCUSSION OF FINDINGS

Social Welfare Policy	SA Freq. (%)	A Freq. (%)	U Freq. (%)	D Freq. (%)	SD Freq. (%)	Mean	Std. Dev . .
Social welfare policies are modern designed to enhance the welfare of citizens	330 (52.2)	302 (47.8)	-	-	-	4.52	.502
Social welfare policies for children have replaced the traditional communal care and discipline	474 (75)	137 (21.7)	2 (3.3)	-	-	4.71	.520
Lagos state social welfare policy considers the children's welfare	385 (60.9)	247 (39.1)	-	-	-	4.60	.490
Social welfare policies for delinquent juvenile serve as a welfare instrument of government for reformation, rehabilitation and reintegration	419 (66.3)	213 (33.7)	-	-	-	4.66	.475
Social welfare policies concerns wards in juvenile custodian homes	343 (54.3)	268 (42.4)	21 (3.3)	-	-	4.51	.564
Average Mean						4.60	.510

Source: Field Survey

Decision rule: if mean is  $\leq 1.49$  = very low, 1.5 to 2.49 = low, 2.5 to 3.49 = moderate, 3.5 to 3.9 = high, 4.0 to 5.0 = very high

This objective examine the credibility of Social Welfare Policy as a substitute instrument for traditional indigenous discipline and correction of juvenile delinquency. Findings shows that the public understood most of the Social welfare policies are modern designed to enhance the welfare of citizens (52.2%). They recognize that Social welfare policies for children have replaced the traditional communal care and discipline (75%). The respondents also confirmed that Lagos State social welfare policy considers the children's welfare (60.9%). Also respondent recognizes Social welfare policies for delinquent juvenile serve as a welfare instrument of government for reformation, rehabilitation and reintegration (66.3). Lastly, they also concurred that the Social welfare policy concerns wards in juvenile custodian homes (54.3%). On the whole this result implied that there was recognition by the respondents that Social Welfare policies are credible as a substitute instrument for traditional indigenous discipline and correction of juvenile delinquency, juvenile inclusive was very high (Mean=4.60).

While interviewees generally corroborated the fact that social welfare policy as a government tool of re-writing history and setting up steps towards meeting the current demands of this changing societies. A director in the Department of Family Support Services and a member of the policy and Child Right Law committee, also in the Ministry of Youth and Social Development specifically said "A policy document that domicile in the department of youth development that will oversee the entirety juvenile delinquent management. The eagerness and enthusiasm towards having a policy document domicile in all ministries and department who is to come in contact with Juvenile delinquent matters, speaks much to the credibility of the Child Right Law in use. Sections of the law pointed out the interest of the child as paramount and cannot be handled otherwise outside the stated premises beginning from the (UNCRC) United Nations Convention on the Rights of the Child to the Nigeria Child Right Act (2003).

As stated above the findings justify the saying that change is inevitable since Social welfare policies now substitute for traditional indigenous and communal training and discipline of juveniles. (Asen, 2012 & Ahmed, Alhassan & Alshammari, 2017). This lay emphasis on the fact that whatever governments

choose to do or not to do is policy and remains an instrument and controller which government has planned for direction and practice in certain challenged or problem areas. (Hudson, & Lowe, 2009 and Hill & Varone, 2014). In essence, the finding supports the fact that social welfare policy and program concerns human welfare and upbringing of juvenile. Scholars say that the opposite of a condition of social well-being is social ill fare which social welfare is totally against and working to expunge all things being equal. This study proves that Lagos State adheres to the concept of the of social welfare which is focused on a state or condition of citizens including juveniles wellness that exists when social problems are managed, when human needs are met, and when social opportunities are maximized" (Ahmed, Alhassan & Alshammari, 2017; Blau & Abramovitz 2004, Ireje 2017, and Inter social welfare and welfare concept. 2017).

## CONCLUSION

This study concluded that the nature of implementation and operations of social welfare policy as a substitute for traditional indigenous control of juvenile delinquency in Lagos State, Nigeria is seen as a major impetus with so much challenge in achieving the purpose of reformation, rehabilitation and reintegration. The totality of the performance of the social welfare policies for the correction of juvenile and as an acceptable measure in modern societies is thought-provoking and new, but must be understood and accepted according to universal standards and frameworks. The study therefore recommends the efficacy of a trado-social order in the management, control and upbringing of the juveniles for a better tomorrow.

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