



Responding to child sexual abuse in the United States and Kenya: Child protection and children's rights

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ABSTRACT

Child welfare policies and practices vary widely across nations, but most comparative studies have focused on differences between North American and European countries in how they address the abuse and exploitation of children. Using a comparative case-study approach to examine differences and similarities in how the United States and Kenya have responded to the sexual abuse of children, this article illustrates why it is important to examine and compare child welfare policies and practices in a wider range of countries. The dominant strategy for addressing child sexual abuse in the United States is the formal child protection system, while Kenya focuses more on locally-based efforts for empowering children and communities to resist and interrupt exploitation and abuse. Since both approaches have strengths and weaknesses, there is a great deal that the two countries could learn from and teach each other. The authors suggest that it is important to acknowledge children's strengths, agency, and rights, as well as their vulnerabilities, and conclude that responses to child sexual abuse and other types of maltreatment may be strengthened by a clearer understanding of how history, culture, politics, and economics influence the development and effectiveness of child protective policies and practices.

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1. Introduction

Once ignored or denied by virtually all societies, the sexual abuse of children has received increasing attention over the last 30 years. Considerable progress appears to have been made in the areas of prevention, intervention, and policy in some countries, while concerns about sexual abuse and exploitation are being raised for the first time in others. Responses to the problem have been more visible in North America and Europe, where research-based knowledge and resources have been available to address it, but concern about sexualized violence and exploitation of children has rapidly become a global issue. As the links between sexual abuse and other child welfare issues become more clear, it is increasingly urgent that the nations of the world work together and learn from each other about how best to address this issue in a variety of contexts.

Child sexual abuse is generally viewed in the United States as a child protection issue and policy responses to it are embedded in a larger child welfare system that focuses on a whole range of protective issues, including physical maltreatment and neglect. But researchers who have compared the United States, Canada, and a number of Northern-European countries have found significant differences in how individual countries respond to child abuse and neglect. For example, Gilbert (1997), who compared nine countries in North America and Europe, found that

English-speaking countries use what he calls a “child protection” approach, while other European countries have more of a “family service” approach. Responses in countries that emphasize child protection tend to be more legalistic, less optimistic, and more likely to delay intervention, while family service approaches focus more on prevention and offer services to families earlier and more generously. To begin to explain these differences, Hetherington (2006) examined Gilbert's findings in light of a model proposed by Esping-Andersen (1990; cited in Hetherington, 2006) that categorizes different types of social welfare regimes according to the country's socio-economic philosophy. She found that countries that Esping-Andersen describes as “social democratic” and “conservative” tend to have a family service approach to child welfare, while liberal countries tend to have a child protection model. According to this model, which uses terms such as “conservative” and “liberal” somewhat differently than we do in the United States, both social democratic countries and conservative countries share the philosophy that society should be responsible for helping people in need, though social democratic countries tend to offer services through the government, while services are provided primarily by NGOs in conservative countries. Liberal countries, such as the USA and in the UK, are more likely to see individuals as being responsible for their own needs and to try to limit social expenditures. In examining these findings, Hetherington (2006) concluded that socio-cultural factors may be the strongest determinants in shaping a nation's responses to abuse and neglect.

Despite the apparent importance of socio-cultural, as well as economic factors in shaping child welfare policies and practices,

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however, few studies have included poor or non-Western countries in their international comparisons. A number of recent studies have examined different views of childhood more generally, and some writers have compared different countries in regard to specific issues, programs, and services, but comparisons that address how poorer nations respond to different forms of child maltreatment are rare. More such comparisons are clearly needed. Not only will they help us to identify possible ways to improve our child welfare systems and enrich our understanding of how to respond to child maltreatment in different social, political, and economic environments, but they also may help us to value more highly some of the strengths of our own systems and help us support and build on them (Hetherington, 2006). In making these comparisons, however, it is essential that we avoid assuming, explicitly or implicitly, that more affluent or “developed” countries inevitably represent more fully developed or sophisticated approaches. This may be challenging, at times, for experts from affluent countries who are consulting about and/or working with sexual abuse issues in less affluent areas of the world because our greater resources, our longer histories of responding systematically to this issue, our larger fund of research-based knowledge, and our more established programs and policies may lead us and some of our Southern hosts to see our relationship as a one-way or “top down” process of teaching or consulting (Haug, 2005). This kind of relationship limits mutual learning and ignores the dangers inherent in offering practices developed for application in one social, political, and economic context as models for implementation in another.

This article begins with a summary of the “state of the art” in regard to addressing child sexual abuse in the United States from the perspective of the co-authors, both of whom have been involved in the child sexual abuse field in the United States for over 25 years. Next, the social and political history of Kenya and the rather limited literature on child sexual abuse and responses to it in Kenya are reviewed. The Discussion and conclusions section explores some of the pitfalls associated with making comparisons between countries as different as the United States and Kenya, particularly in light of the legacies of colonialism and racism that permeate relations between and within the Americas, Europe, and Africa. With these cautions in mind, we reflect on some of the differences in views, goals, and priorities in responses to child sexual abuse in the two nations and discuss a variety of factors that may have contributed to these differences. We conclude that evolving strategies for addressing sexual exploitation and other forms of child maltreatment in other nations, illustrated here by our comparison of the United States and Kenya, may offer new insights into how to address some of our own, well-entrenched, child welfare problems in the United States.

2. Sexual abuse and responses to sexual abuse in the United States

A serious effort to acknowledge and respond to child sexual abuse in the United States developed in the late 1970s. Prior to that, widespread denial and under-estimation of the problem was the norm, with maternal failure or inadequacy, dysfunctional family systems, and isolated rural cultures receiving much of the blame for those few cases that were brought to light (Gruber & Jones, 1983; Justice & Justice, 1979). A variety of influences helped to bring the issue of child sexual abuse to public and professional awareness in the latter part of the 20th. century. Among these were the influence of social movements, such as the civil rights and women's movements, which highlighted the consequences of social inequalities; a greater acceptance for public discussion of sexual issues and “private” problems; and increased attention to child abuse following the (re)“discovery” of the problem in the 1950s and 60s (Loseke, Gelles, & Cavanaugh, 2005).

By the early 1970s, the National Center on Child Abuse and Neglect, which funded basic research and developed and disseminated programs designed to prevent and treat all forms of child abuse, had

been established. One of its major accomplishments was to rapidly fund a bevy of studies designed to reveal the extent and nature of child sexual abuse in the US. This research suggested that approximately 20% of girls and 5–10% of boys experience some form of sexual abuse before the age of eighteen (Finkelhor, 1994). It also confirmed that most abusers are men, that they are frequently known to the child, and that they may be relatives or even parents (Barnett, Miller-Perrin, & Perrin, 1997). The knowledge base about the extent, dynamics, indicators, and consequences of child sexual abuse has continued to grow and empirically-based evaluation and treatment methods have continued to develop, offering professionals more of the tools needed to prevent, identify, and treat sexual abuse (Barnett et al., 1997). While under-reporting is still considered by many to be a problem, about 79,640 confirmed cases of child sexual abuse were handled by authorities in 2006 (Child Maltreatment, 2006).

Responses to child sexual abuse in North America were shaped by the convergence of several factors. Public awareness about the extent and consequences of child sexual abuse was raised by adult survivors of childhood sexual abuse who spoke publicly about their abuse. Increased media attention to the issue led to widespread support for legislative and legal remedies that emphasized the criminal nature of extra-familial child molestation and focused on punishing perpetrators. In addition, efforts were made to develop and require research-based forensic interviewing protocols, collaborative procedures that reduce the need for multiple interviews, courtroom adaptations for child witnesses, and professional training to increase prosecution and conviction rates. As a result, court experiences were improved for some children and families and more offenders were identified and held accountable. The discovery that hundreds of perpetrators had been protected by large and trusted institutions such as the Roman Catholic Church also led to new and broader efforts to require religious and educational institutions and children's organizations to screen and supervise their employees or implement prevention programs.

As more people were accused, sued, or even imprisoned for child sexual abuse, including some with the means and education to loudly and convincingly proclaim their innocence, a growing countermovement argued that sexual hysteria had gripped the country and triggered a witch hunt. In part a response to some of the mistakes made in the earlier years of the “child sexual abuse movement,” this “backlash” movement included some professionals and members of the public who had legitimate concerns about unconventional and untested investigation and treatment practices, excessive zeal in interviewing children that may have led to wrongful convictions, and the perception that sexual abuse was behind every mental health problem. It is probable that this countermovement also included some perpetrators and their allies, who used these legitimate concerns to cover up or continue sexually abusive behavior, as well as some advocates who were using concerns about sexual abuse intervention to pursue anti-feminist, anti-therapy, and family privacy agendas (Mildred, 2003). Regardless of the reasons for their expressed concerns, critics succeeded in raising suspicion about prevention and intervention programs and prompted responses from practitioners (Plummer, 2005). Empirical findings, practice and prevention programs, and sexual abuse claimants began to be viewed with greater suspicion. Though the causes for this are not entirely clear, reporting and substantiation rates leveled off or decreased after skyrocketing in the 1980s and '90s (Finkelhor & Jones, 2006).

Academics and practitioners in the child sexual abuse field also have expressed concern about certain trends and practices. Efforts to address intra-familial abuse have been thwarted by a dearth of child protection workers with the time and expertise needed to adequately investigate reports of sexual abuse and the lack of available resources to provide children and families with needed interventions. Others have expressed concern that resources for prevention and treatment have been diverted into the forensic arena, which has sometimes delayed treatment, re-traumatized victims, and produced few

convictions. New laws and practices have been implemented, but conviction rates have remained low. As a result, some victims and their advocates have resorted to civil suits in order to seek consequences for perpetrators, try to reduce their access to potential victims, and gain restitution.

A number of observers have suggested that the political aspects of responses to child sexual abuse cannot be ignored. Legislators from both political parties in the United States continue to find a “tough on sex offenders” position to be politically useful and without much controversy. However, politically popular sex offender registries face growing opposition as critics have charged that young, poor, minority, and sometimes innocent people have been targeted, including sexually exploring children and those in non-coercive sexual relationships with slightly older peers. Critics note that sex offender registries, while giving the public a scapegoat, fail to differentiate levels of risk or to substantially reduce risk, and are fraught with other problems (Lees & Tewksbury, 2006). Further, this single-minded focus leaves politicians free from an obligation to fund costly prevention or treatment programs, child welfare services in general, or to otherwise spend money on vulnerable children and their families.

In summary, despite almost 30 years of concerted and sometimes successful efforts to address the problem of child sexual abuse in the United States, serious challenges remain in a number of areas. Abuse by clergy, teachers, and club leaders continues. Parents still worry about the vulnerability of children on the Internet, as increasingly sophisticated schemes lure some young people into exploitative relationship or involuntary sex work (Marcum, 2007). The linking of sexuality, power, control, and masculinity remains strong in our culture and young people are continually exposed to images that may promote aggressive sexual behavior among some groups of youths, a sense of powerlessness among others, and an increased likelihood that sexualized violence towards children may be perpetrated by other children. Those few offenders who are identified and actually experience consequences are disproportionately members of less-advantaged groups, are usually not provided treatment in detention centers or prisons, and often return to abusive behaviors upon release. Conviction rates may be increasing, but the problem of adequately addressing child sexual abuse in the US appears to be anything but solved by our multiple remedies.

3. Sexual abuse and responses to sexual abuse in Kenya

Kenya is a multi-ethnic nation in East Africa with a population of approximately 34 million (Government of Kenya, n.d.) representing at least 40 different ethnic groups. A majority of Kenyan citizens describe themselves as Christian, but as much as 30% of the population is Muslim. Despite recent outbreaks of violence following its contested election, and ongoing struggles among ethnic groups for power and resources, Kenya has been considered one of the most democratic and peaceful countries in Africa. While it is a more stable and prosperous country than some of its neighbors (Kenya borders on Tanzania, Uganda, Ethiopia, Somalia, and the Sudan), Kenya struggles with serious social and economic problems. Half the population lives in poverty and Kenya has the 9th highest prevalence of HIV/AIDS in the world (Center for Disease Control and Prevention, 2003).

Prior to colonization by Britain in the eighteenth century, the area now known as Kenya included the lands of many different peoples. The conflicts between some indigenous ethnic groups predate the colonial period and continue into the present day. Ancient struggles for land and resources were exacerbated by the colonizers, who seized much of the area's arable land and granted formerly communal lands, cultivated mostly by women, to individual males (Penn, 2005). The policies and practices imposed by the British, which forced large segments of the population into migration and forced labor, led to resistance and periods of rebellion throughout the colonial period. Efforts to gain independence were forcefully suppressed by the British, most notably

during the Mau Mau rebellion of the 1950s, when as many as 100,000 Kenyan people were imprisoned and murdered (Elkins, 2005).

Kenya became an independent nation in 1964 under the leadership of Jomo Kenyatta. The development of social welfare policy in Kenya was patterned by the colonial power, but Kenyatta's promotion of the principle of *harambee*, which reflects underlying indigenous values and emphasizes local, community-based development and self-reliance, strongly influenced the development of social policy in the new nation (Gethaiga & Williams, 1987). Later, some of the *harambee* projects failed and others were exploited for party gain under the government of Daniel Arap Moi, but Kenya's government has continued to emphasize locally-based efforts, is limited and decentralized, and embraces NGO involvement in the provision of social services (Wanyonyi, 2004), though World Bank and IMF influences in the 1990s put greater emphasis on market economies and privatization (Gimode, 2004). In regard to child maltreatment, there is a Department of Social Services in Kenya that is charged with investigating reports of child abuse and monitoring out of home placements, but few professionals who work with children appear to be aware of the existence of this agency and many are hesitant to report abuse when responses are seen as inadequate and while government-provided temporary shelter for abused children might consist of a prison cell (Omwenga, October 2 and October 10, 2008, personal communications). Voluntary and international agencies continue to operate most child welfare services, including foster and institutional care, with little government oversight. Most sexual abuse and exploitation cases are handled informally and/or by the legal system.

Little is known about the exact dimensions and dynamics of sexual abuse in Kenya. Most of the evidence currently available has been gleaned from studies that have focused on related issues, such as AIDS, education, or domestic labor, or from studies that have examined how issues like trafficking or sex tourism affect the rest of the world (Lalor, 2004a). National and international non-governmental agencies, as well as governmental reports, agree that rates of child sexual abuse are likely to be high in Kenya, where 40% of the population is under the age of 18 (Central Bureau of Statistics, 2006). Factors that are believed to contribute to the sexual abuse of children in Kenya include poverty, separation from families resulting from urbanization and the HIV/AIDS pandemic, the exploitation of child labor, and lack of educational opportunities (End Child Prostitution and Trafficking, 2004). AIDS orphans are thought to be particularly at risk, especially if they end up among the approximately 250,000 children living on the street. Street children are believed to be universally at risk of being sexually abused by adults and other children and some are even taken from Kenya to be prostituted in South Africa or other countries (End Child Prostitution and Trafficking, 2004). The International Labour Organization (2005), estimates that approximately 30,000 girls under the age of 18 are engaged in prostitution in Kenya and many boys are also believed to be involved in commercial sex. Child sex tourism has been a particular problem in coastal areas of Kenya due, in some cases, to pressure from parents or other guardians to contribute to family income where few other options for supporting families exist. Kenyan professionals also report high rates of sexual exploitation of child domestic workers (African Network for the Prevention and Protection Against Child Abuse and Neglect, 2006). Though figures are imprecise for the abuse of children in commercial enterprises, virtually no figures exist at all for incest or child sexual abuse in the family in African countries, including Kenya. Without these data, it is impossible to estimate whether overall rates of sexual abuse in Kenya are similar to rates in the United States or other countries. Valid nationwide surveys, as well as detailed qualitative data, are needed to fill the “information vacuum” in Africa (Lalor, 2004b).

Despite indicators that many children in Kenya may be at risk, Kenya has only recently begun to systematically address child sexual abuse at both the national and grassroots levels. Kenya has had laws related to the protection of children since the Children and Young

Persons Act of 1964 established legal penalties for anyone who has the custody of a “child or juvenile” (up to the age of 16) who “wilfully (sic) assaults, ill-treats, neglects, abandons or exposes him or causes or permits him to be assaulted, ill-treated, neglected, abandoned or exposed, in any manner likely to cause him unnecessary suffering...” (Section 23). However, Kenya had an extremely weak sex offenses law until 2006, when a major legislative overhaul occurred. The new Sexual Offenses Act has led to a push for reporting, but convictions remain low. Few judges or juries in Kenya view sexual abuse of a child as an act serious enough to warrant mandatory life imprisonment, the penalty for assaulting a child under 12. The Children’s Act, which affirmed the full range of protections in the United Nations Convention on the Rights of the Child, was passed by the Kenyan parliament in 2002. This bill retained the major focus on issues related to children in conflict with the law that was reflected in earlier legislation, but greatly expanded consideration of the “protection and care” of children more generally, including children in need of foster care. Some of its sections make explicit the right to health care, education, protection from child labor and armed conflict, protection from harmful cultural rites, and protection from sexual abuse and exploitation. These are new elements in Kenyan law that reflect some of the provisions required by Kenya’s ratification of several international treaties.

Kenya ratified the United Nations Convention on the Rights of the Child (hereafter referred to as the UNCRC) in 1990 and the African Charter on the Rights and Welfare of the Child in 2000. The UNCRC, which has now been ratified by every recognized country in the world except the United States, establishes global standards for the rights and welfare of children, though the bulk of the articles “deal with the special protection rights of children in exceptionally difficult situations” (Boyden, 1997, p 220). The UNCRC has established a global definition of a “child” as someone who has not yet reached the age of 18 and recognizes children’s civil and political rights as human beings who have the same inherent value to society as adults.

Specific articles of the UNCRC establish explicit goals for ratifying nations. Article 12 attempts to address the dual status of children by explicitly requiring children’s participation in decisions affecting their lives. Article 20 ensures “special protection and assistance” for a child “temporarily or permanently deprived of his or her family environment,” including “alternative care for such a child” (Part II). The African Charter on the Rights and Welfare of the Child contains many of the protections contained in the UNCRC. Article 16 of the Charter refers to protection of children from “all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment” (Section 23), including sexual abuse. As international treaties, both of these instruments require reports to be filed that address ways in which the individual nation is and is not compliant with the treaty. Though Kenya, like most other signatories of the UNCRC, falls far short of compliance with both the spirit and letter of the treaty (United Nations Committee on the Rights of the Child, 2005), the necessity of filing these reports requires some level of accountability to the international community. This may bolster government support for programs addressing sexual abuse and other issues affecting children. By situating concerns about sexual abuse within a broader framework of children’s rights, and by requiring the active participation of children in addressing matters that concern them, these treaties undoubtedly have helped to shape the way that sexual abuse is addressed in Kenya.

Widespread interest in sexual abuse in Kenya was evident when the First International Conference in Africa on Sexual Abuse was held in Nairobi in September, 2007. The conference, which was the result of a very successful collaboration between participating NGOs in Kenya, had approximately 450 delegates in attendance from 45 countries. Presentations ranged from topics such as “Interrogating Sexual Abuse in the Rwandan Genocide” and “Market Women Address Sexual Abuse Prevention in Nigeria” to “Slum Culture and Child Sexual Abuse in

Kenya” (African Network for the Prevention and Protection Against Child Abuse and Neglect, 2007). A children’s march and a children’s conference were held the day before the professional conference. The march, with over 300 children bused in nationwide and escorted by police, shut down traffic in Nairobi while thousands watched. The Children’s Pre-Conference offered those under 18 years old an entire day to learn about and discuss their rights, compile their report and recommendations to the adult conference, and elect youth representatives to attend the adult conference. Teens representing the Children’s Parliament presided over the day, were included in the conference press conference, and presented an appreciation award to the judge who had been instrumental in passing the new Sex Offenses Law. Several adults spoke to the participants about sexual abuse and its prevention at the beginning of the Children’s Conference, after which all adults were dismissed so that the children, led by a children’s parliament, could make their own independent recommendations. In addition to their own self-generated concerns, the children’s recommendations did, at times, mirror the concerns of the adults who had spoken to them. For example, the key author of the Sex Offenses law was asked to speak to the children and the children’s list of recommendations included her suggestions for strengthening this law.

The 3-day professional conference began the following day. Most African presenters at the conference discussed grassroots efforts made by attorneys, social workers, and community activists to engage local communities in low-cost prevention and safety measures. These included teaching marketplace women to look after neighborhood children, starting children’s rights clubs in schools, and training soldiers to see child protection as part of their job. “Children’s rights,” a term seldom heard at US-based child sexual abuse conferences, was used in reference to issues related to child sexual abuse, which was linked to a cluster of other conditions affecting children such as extreme poverty, child labor, and lack of access to education. Child sexual abuse was framed as one area among many where children lacked rights and needed to be involved in the struggle to acquire these rights. While input from U.S.-based presenters was welcomed, differences between approaches in the United States and in other parts of the world were often addressed directly by conference participants. Some wondered why children in the United States are allowed to go to war (17 year olds may join the armed services) and why children are sometimes tried in court as adults. Some presenters from the US called for culturally and contextually appropriate policies and practices, but others focused on what they presented as replicable child protection successes in the United States. For example, two presenters from the US focused on the “successes” of the child abuse registry and the sex offender registry, depicting them as non-controversial and unequivocally successful responses to child sexual abuse in the United States. U.S. policies and practices such as these were extolled and embraced by some Kenyan lawmakers, illustrating the complex and ambivalent relationship already developing between professionals in Kenya and the United States.

4. Discussion and conclusions

4.1. Some cautions

Before we discuss our observations about the different ways that Kenya and the United States are addressing the problem of child sexual abuse and what can be learned from this, it is important to acknowledge that any kind of comparison between the United States and countries in Africa must be approached with great caution. It is easy to fall into the errors of judging other societies by our own standards and assuming that our relative affluence means that we are more “advanced” and therefore culturally and morally superior to other nations. This is particularly a problem when comparing the US to nations in Africa because of our society’s deeply entrenched racism

and our long exposure to images of African children as starving and exploited victims, which has promoted both pity and feelings of superiority among people in the US. The legacies of colonialism that have left many African children in dire circumstances need to be acknowledged, but there are risks attached to focusing exclusively on the negative consequences of colonial rule in Africa. By constructing African peoples primarily as victims, we fail to recognize the forms of social organization, critical analysis, resistance, coping, and innovation practiced by African individuals, families, communities, and societies that may have much to teach the rest of the world.

Another danger in making comparisons is that it is tempting to allow our knowledge of and/or concern for the vulnerability of children in extremely poor and conflict-torn areas of Africa to blind us to the ways that childhood in Africa, as well as in North America and Europe, is a very diverse experience. This may be particularly true when talking about child sexual abuse, since we tend to focus on issues like the vulnerability of trafficked and orphaned children in poverty-stricken areas of the world while retaining a focus on individual behavior and pathology in our own country. Nevertheless, there are real differences both within and between nations in the experience of childhood, in how people think about different “kinds of people,” including “kinds” of children, and in what might be viewed as an individual, family, or group problem, as opposed to a social problem.

In discussing differences in views about child sexual abuse, we must begin by acknowledging that the term “child sexual abuse” is understood and used very differently in different contexts. Because the concept of child sexual abuse is “ambiguous, contested and subject to a multiplicity...of interpretations,” discussions about this issue are “fraught with difficulty and complexity” (Green, 2006, p. 74). These complexities include the political nature of efforts to define and address child sexual abuse, the lack of agreement about the “nature” of childhood and where it begins and ends, and disagreements about what ought to be considered abuse. Scholars in the sociological studies of childhood have cautioned against imposing or assuming a Western view of children that highlights their incompetence, silences their voices, and allows the dimensions of power in adult/child relationships to remain unquestioned (Corsaro, 2005; James & Prout, 1997). As scholars and practitioners trained in the disciplines of social work, sociology, and psychology in the United States, we bear these cautions in mind as we attempt to address the question of what can be learned from comparing responses to child sexual abuse in Kenya and the United States.

4.2. Similarities and differences

The United States and Kenya share a mutual concern about the sexual abuse and exploitation of children. Both nations have passed legislation specifically addressing the problem of sexual abuse and both have laws defining sexual exploitation of children by adults as a crime. Forensic responses appear to be politically popular in both nations and, in both, these approaches appear to fail in a majority of cases. In both countries, there are professionals committed to understanding the incidence, prevalence, and nature of sexual abuse; how to identify and punish it; and how to help its victims. There are also survivors, activists, and practitioners in both countries who insist that efforts to address sexual abuse need to focus on ensuring the safety and healing of children, not just on increasing reporting or punishing offenders. Efforts have been made to link child sexual abuse to larger social issues in each country, though gender, culture, and parental rights issues have taken center stage in the United States, while ethnic, educational, and economic issues have been seen as more significant in Kenya.

Despite these similarities, responses to child sexual abuse in the United States and Kenya have different histories and maintain different foci. Concern about child sexual abuse re-emerged in the

United States in the 1970s in the context of heightened concern about child abuse and in response to child protective legislation and a predominantly white women's movement that emphasized the political dimensions of individual experience. In contrast, concerns about sexual abuse in Kenya appear to have gained strength in the 1990s in response to more general concerns about the welfare and rights of children, demographic changes, the effects of widespread poverty on children and families, the involvement of international human rights organizations and NGOs, and the signing of international treaties that address children's rights. These specific contexts, in addition to the broader contexts of history, culture, economics, politics, and processes of social transformation, have contributed to significantly different emphases and strategies in the two nations.

In Kenya, responses to child sexual abuse have been complicated by the co-existence of other problems, such as extreme poverty, the AIDS pandemic, governmental instability, slums, lack of educational opportunities, and child labor. These political and socio-economic problems may be so widespread and overwhelming that concerns about child sexual abuse may be viewed as competing for limited resources with more urgent survival issues. The sexual exploitation of children by strangers meshes well with concerns about the impact of poverty, family disruption, and the dissolution of community in Kenya. At the same time, discussions about sexual abuse of children by kin or members of close-knit ethnic or geographic communities may be viewed as a threat to family, community, or group cohesion during a time of perceived fragility for those locations where children have traditionally been nurtured and protected (Njenga, 2007). Furthermore, reporting the sexual abuse of children by familiar adults, in the absence of an adequate and well-structured system of investigation and alternative care, may leave these children in even more dangerous situations. Locating concerns about sexual abuse of children within a larger set of concerns about their welfare and the welfare of their families may allow the sexual exploitation of children to be openly discussed, but also shifts attention away from the vulnerability of children in families and the ways that the rights and interests of adults and children in families may sometimes conflict. The lack of empirical evidence about abuse of children by relatives, teachers, ministers, and other known adults may contribute to a lack of understanding about the dimensions of this problem and the difficulty of developing prevention and intervention aimed to address it. In times of widespread unrest and in the absence of a coordinated and consistent national response system, Kenya's emphasis on an informal, community-based approach to intervention may be both a strength and a weakness.

Kenya's ratification of the UNCRC has helped to frame sexual abuse as a children's rights issue in that country. By requiring accountability to the international community, the UNCRC has contributed to government support for efforts to address the sexual abuse and exploitation of children in Kenya. Despite the ways in which Kenya (and most of the other countries in the world) fail to comply with both the spirit and letter of the UNCRC, and despite some of the problems with the treaty and its notion of children's rights (Reynolds, Nieuwenhuys, & Hanson, 2006; Roose & De Bie, 2008), it appears to have had a positive impact on responses to child sexual abuse in Kenya. Perhaps most importantly, it has led to the inclusion of children in discussions about problems affecting their lives, a practice often overlooked in the US. Clearly, problems may arise around children's participation, including a tendency to adopt adult definitions and views due to the unequal nature of the relationship, but it is likely that children who feel included and listened to will feel more empowered to raise the issue of sexual abuse by parents and other known adults, whether or not the adults listening would like to hear about it. Additionally they will express their own real life concerns, contribute to our understanding of the problem, and help to generate feasible and more child-friendly solutions.

In contrast to Kenya's approach, the primary response to child sexual abuse in the United States continues to be implemented under

the umbrella of child protection. This tends to isolate the problem of sexual abuse from broader concerns about children's safety and welfare, such as poverty, failing schools, dangerous neighborhoods, and inadequate health care. In the United States, the terms "child protection" and "child welfare" are often used synonymously, whereas in many other parts of the world, the term child welfare is widely understood to encompass a much broader set of issues, including the various effects of adverse social, political, and economic conditions on children, families, and communities. Within the U.S. child protection system, the view that children are passive and powerless victims whose primary need is for adult protection remains dominant. Consequently, children are rarely included in discussions about their own needs and decisions about their lives are often made without their involvement or input. This view of children as people who are incapable of contributing information and insights into discussions about their own lives seriously underestimates the abilities and insights of many children and contributes to children's powerlessness and vulnerability (Boocock & Scott, 2005). The concept of protecting children's rights as human beings, rather than as "human becomings" or "citizens in waiting" (Jenks, 1996; Wyness, 2000), and the idea that they are agents as well as objects of change, are rarely acknowledged in the child protection literature. This has led to an emphasis on "child saving" in the United States rather than on efforts to work with children, understand their points of view, and recognize the consequences of their relative powerlessness in relation to adults.

An emphasis on child protection in the U.S. also contributes to a view of sexual abuse as a psychological or family systems problem that can be divorced from an analysis of larger social and economic conditions. The popular perception that children are sexually abused in their bedrooms by emotionally disturbed family members or abducted on their way home from school by psychopathic predators contributes to the invisibility of children in the US who are forced to trade sex for survival. Poor children in the United States remain invisible, even though there are exploited and victimized children living in the streets or in informal out of home placements, as well as children living in families where sexual abuse is tolerated in order to keep a breadwinner in the home. The extent to which discussions of sexual abuse are separated from any serious discussion of how we, as a nation, fail to support many of our children contributes to a belief that commercial sexual exploitation of children exists "over there" in places like Africa, rather than in our own communities and as a result of our own policies. For example, we are much more comfortable with the idea that young people sell their bodies to support their drug use than with the idea that child prostitutes, many of whom have a long history of sexual abuse, may use drugs to cope with a life in which both hope and alternative means for survival seem unattainable.

Unlike Kenya, which has agreed to be internationally accountable in regard to the status of its children, the US prefers the autonomy of remaining outside of international treaties that seek to promote children's rights. The failure of the United States, alone among the nations of the world, to ratify the United Nations Convention on the Rights of the Child raises questions in the eyes of the rest of the world about our own commitment to children and their welfare, despite our pro-child rhetoric. Our willingness to defend the right of adults to commit acts of violence against children that would be considered criminal if done to other adults, to punish juvenile offenders as if they were adults, and to send them to war, may have the unfortunate effect of causing some nations to reject knowledge and methods from the United States that might have useful applications in other contexts.

Resistance to the idea that children should be more involved in decisions that affect their lives persists in part because of our focus on parental rights, emphasis on keeping the government out of our families, and educational focus on children's limitations and inadequacies (Boocock & Scott, 2005; Wyness, 2000). It may also reflect a general unwillingness in the US to admit that beliefs about children and childhood in the United States are complicated, ambivalent, and

linked to that unmentionable aspect of our society, social class. Unfortunately, there is remarkably little discussion about children's rights among people who work directly with children in the United States, many of whom may not even know of the existence of the UNCRC and the enormously complex, critical, and growing international conversation about children's rights. This isolates people who are concerned about children's welfare in the United States from full engagement with members of the world community who have similar goals but different strategies and approaches.

4.3. Lessons

As part of a mutual exchange of ideas and strategies, there are many ways that academics and practitioners in the US might work collaboratively with people who are concerned about sexual abuse in Kenya and other countries in the South. Researchers and academics in Kenya are familiar with the systematic and rigorous research methods practiced in the United States, both quantitative and qualitative, but may not have the time or resources to focus on issues like child sexual abuse when more pressing survival concerns need to be addressed. This may leave plenty of room for US-based academics to help gather information about and assess the extent and nature of child sexual abuse in Kenya. It would be important, however, to collaborate with those Kenyan social scientists, activists, and practitioners who are interested in doing research about sexual abuse and to acknowledge the limitations of using allegedly "objective" research tools that are steeped in culturally and historically-situated assumptions about what constitutes credible knowledge and how to interpret and apply it.

Similarly, the large body of work on child development and child interviewing that has been produced in North America and Europe may be helpful to forensic and research interviewers in Kenya in increasing understanding of the behavior and communications of young children, in developing questions that young children can comprehend, and in avoiding forensic interviewing practices that put pressure on children to disclose, or not to disclose, sexual abuse. However, there needs to be a willingness to see the limitations of culturally-specific ideas about children and their development and to continue to expand developmental theories to reflect differences among children, both within and across cultures and contexts. Any application of developmental research that is based on Euro-centric beliefs about the nature of childhood and what is "good for" and "not good for" children must be used with great caution (Reynolds et al., 2006). The danger of applying universal standards for what children should and should not be able to do has been amply illustrated by well-meaning efforts to end child labor, which, at times, appear to have driven children into even more dangerous and exploitative work outside of the formal labor market to ensure their own and their family's survival (Montgomery, 2003).

The large body of knowledge about the prevention and treatment of sexual abuse that has developed in the United States also may be useful to activists, practitioners, and policymakers in Kenya, who might learn as much from our mistakes as from our successes. Experienced trainers and practitioners from the United States may be able to offer well-developed and tested models that might, if appropriately adapted, save Kenyan activists and practitioners from the necessity of developing and testing models from scratch and free them up to begin addressing pressing concerns more quickly. Making certain that these approaches are adapted to local contexts will be critical to their success. In addition, Kenyan policymakers might also learn from studies that have compared child welfare systems in North America and Europe. For example, given the diversity and community-oriented values of Kenya's indigenous peoples, its reluctance to provide services on a national level, and the important role of NGOs in providing services, it might be helpful for Kenya to examine the different child welfare models discussed by Gilbert (1997) and Hetherington (2006) to see whether policies and practices in some

of the non-English speaking European countries might offer more appropriate models than approaches taken in Britain and the United States.

While the United States has much knowledge and experience to offer, there is also much that we can learn from Kenya. That country's willingness to embrace the idea of children's rights and children's participation might well serve as an example of how we might expand our ideas about the rights and capabilities of children. Viewing sexual abuse as a children's rights issue, and making stronger connections between child protection and children's overall well-being, may help us to understand that sexual exploitation occurs in many different contexts and for multiple reasons. This may, in turn, offer us new strategies for preventing and responding to sexual abuse. The idea of including more children in identifying problems and solutions, in discussing their needs and rights, in making intervention decisions, and in conducting research, could add to our knowledge about sexual abuse and help us to differentiate between actions we take to protect children and those that represent the "imperial practices of adults" (Cahan, Mechling, Sutton-Smith, & White, 1993). In addition, there may be much that practitioners in the United States might learn from the creativity of Kenyan organizers and practitioners who have developed and implemented low cost, community-based strategies for preventing and identifying sexual abuse in poverty-stricken neighborhoods. Strategies such as promoting a sense of responsibility for neighborhood children, establishing children's rights clubs in school, making use of taxi drivers to interrupt tourists seeking children for sex, and outreach programs designed to meet a range of street children's needs, could have application in the United States where, unfortunately, we often compartmentalize services rather than serving the "whole child." Finally, as "necessity is the mother of invention," community based efforts in Kenya offer a creativity and energy that hones in on the particular needs and strengths of a specific community and promotes community involvement and a sense of ownership. Working to be culturally, geographically, and context-specific is something many resource-poor but diversity-rich countries can teach those developing programs in the United States, where our top down approach to programming and planning may ignore the diversity of our communities and the need to develop a variety of approaches to meet divergent needs.

5. Summary and conclusion

Concerns about child sexual abuse emerged, and have been responded to, at different times and in different ways. In the United States, these concerns have largely been framed as child protection and criminal justice issues that require adults to act on behalf of children. Emphasis has been on sexual abuse by caregivers and abduction by predatory strangers. Researchers, activists, and practitioners have produced a large, empirically-based body of knowledge about the prevalence and nature of child sexual abuse, its consequences, how to prevent it, and how to help people recover from it. Despite many innovations and advances in each of these areas, the extent to which prevention and intervention methods have reduced the incidence or consequences of sexual abuse is unclear. Both the child protective system and the legal system frequently fail to protect children from physical and sexual abuse, some efforts to further discredit children's judgment and testimony have been successful, the exploitation of children in commercial sex work remains invisible, and new opportunities for entrapping children appear to be developing through the Internet.

In Kenya, the sexual abuse of children has largely been framed as a child welfare and children's rights issue. Emphasis has been on the vulnerability of children detached from families and communities and the involvement of children in the commercial sex trade. Some knowledge exists about factors that make children vulnerable to sexual exploitation, but very little is known about the incidence and

prevalence of incest and sexual abuse by caregivers. Efforts to respond to the problem have included the establishment of laws and policies intended to protect children and punish offenders and the establishment of community based programs designed to protect and identify children who may be exploited. Because of the participation mandate associated with a children's rights perspective, children themselves have been involved in discussions about sexual abuse and how to respond to it. Though some of the children's responses appear to have been influenced by the perspectives of powerful adults, they also have offered important information about their own perspectives and priorities. Evidence about the effectiveness of these efforts in Kenya is not yet available.

In both countries, some policies and practices related to child sexual abuse appear to serve the interests of politicians rather than the interests of children. Policies and practices that originally appeared to offer real hope do not appear to have produced a significantly safer environment for children in either country. Other policies, such as offender registries and lifetime sentences, have been implemented in ways that have unfairly targeted members of less powerful social groups. For a variety of reasons, few offenders are actually prosecuted or convicted in either country. Child protective systems are inadequate in Kenya due to a lack of knowledge and resources and an emphasis on punishing offenders rather than protecting victims. Child protective services in the United States are well established, but often ignore the relationship between poverty and child maltreatment and respond most harshly to the poorest families. In the end, the greatest measure of a country's response to child sexual abuse is what actually happens to children who have been, are being, or may be abused. In both the US and Kenya, too few of these children are being identified and, of those who are identified, too few are protected, helped to heal, or allowed to participate in decisions that may inalterably change their lives. Clearly, there is still a great deal to do in both countries to address the sexual abuse and exploitation of children.

Despite—and because of—these differences and similarities, professionals concerned about child sexual abuse in the United States and Kenya have much to learn from each other. A comparison of the different responses to child sexual abuse in these two countries suggests that each has perspectives and approaches that might be useful to the other. Responses that include both perspectives need to be developed and evaluated. In addition, cross-national comparisons need to include more countries and regions of the world and consider specific and broader implications for children and families of different child welfare philosophies, policies, and practices. Such comparisons will be most useful if they include the recognition that children are a relatively powerless social group of people who also have strengths, agency, and rights, including the right not to be exploited or assaulted by adults and the right to participate in decisions that affect their lives; that we need more evidence-based knowledge about how to protect and intervene with children in different circumstances and environments; and that children, families, and communities are disempowered and hurt by social, educational, and economic deprivation, as well as gender-based and other social identity-based forms of oppression. Attention to children's cultural and economic circumstances, their vulnerabilities, and their capabilities and rights, is needed to effectively address sexual abuse and other forms of maltreatment nationally and internationally.

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