

Eberhard Karls Universität

Tübingen

Katholisch-Theologische Fakultät

Dissertation

**Regulation of Child Labour in Nigeria: One of the Ways to realise the Basic Needs and
Dignity of the Child**

vorgelegt von

Uchechukwu Nnajofofor

(Matrikel-Nr:3798461)

Angestrebter akademische Grad:

Doktor der Theologie (Dr. theol.)

Betreuer

- 1. Prof. Dr. Matthias Möhring-Hesse**
- 2. Prof. Dr. Reinhold Boschki**

Table of Content

General Introduction.....9

Chapter 1: The general Concepts and Theories of Childhood, Child Labour and Regulation

1. Introduction.....15

1.1 The General Concept of Childhood.....15

1.2 Differences between Child Labour and Child Work.....20

1.2.1 Child Work.....21

1.2.2 Child Labour.....24

1.2.3 Work in Children’s Development.....27

1.2.4 General Reasons why Children Work.....29

1.2.5 How Children Work and the Type of Work they do.....30

1.2.6 The Range of Children’s Work.....32

(a) Paid Work outside the Family

(b) Work within the Family

1.3 Regulation of Child Labour.....33

1.4. Evaluation and Conclusion.....38

Chapter 2: Child Labour and its Various Forms

2. Introduction.....39

2.1 Forms of Child Labour.....39

(a) The Domestic Servant

(b) Street Hawkers

(c) Child Street Beggars

(d) Commercial Sexual Exploitation of Children

(e) Industrial and Agricultural Child Labour

2.2.1.0 Child Labour in Africa.....	40
2.2.1.1 Nigeria as an Example.....	43
2.2.2 Child Labour in Asia.....	45
2.2.3 Child Labour in Latin America and the Caribbean.....	47
2.3.0 The Summary of the Concept of Work and Child Labour by the International Labour Organisation (ILO) and Terre des Hommes.....	48
2.3.1 The Summary of the Concept of Work and Child Labour by the International Labour Organisation (ILO).....	50
2.3.2.0 The Summary of the Concept of Work and Child Labour According to Terre des Hommes.....	51
2.3.2.1 Children's dignity and rights and its violation through child labour.....	52
2.3.2.2 Child labour as a Complex Phenomenon.....	53
2.3.2.3 Things that make Work really exploitative and infringes Children's Right	55
2.3.2.4 Minimum Age according to Convention 138.....	56
2.3.2.5 Worst Forms of Child Labour according to Convention 182.....	57
2.3.2.6 The Focus must be on the Well-Being and Rights of Children	58
2.3.2.7 Humane Alternatives to Child Labour are necessary in order to enable Children to lead a Life in Dignity.....	58
2.3.2.8 Terre des Hommes on the Empowerment of Working Children and the Abolition of Child Labour.....	59
2.3.2.9 Collaboration in order to realise Child Rights and Dignity.....	61
2.3.5.10 Social, Political and Economic Demands.....	64
2.4 Evaluation and Conclusion.....	65

Chapter 3: Child Labour: A Threat to the Child's Healthy Development and an Infringement on the Child's Dignity and Rights

3. Introduction.....	66
3.1.0 The General Concept of Human Dignity.....	67

3.1.1 Ontological Dignity as the Source of Human Dignity.....	68
3.1.2 The Church on Human Dignity.....	69
3.1.3 Dignity as a Right of the Human Person.....	72
3.1.4 Dignity as a Subjective Right of the Human Person.....	73
3.1.5. Dignity as the Foundation of all Human Rights.....	74
3.2. 0 Human Rights.....	75
3.2.1 Child Rights.....	76
3.3. Child Labour Laws in Nigeria.....	78
3.4. How Child Labour violates the Rights of Children and the Situations of the affected Children: Child Abuse and Neglect as the after Effect of Unregulated Child Labour....	81
a. Harm	
b. Neglect	
c. Sexual Abuse and Exploitation	
d. Begging	
3.5 Evaluation and Conclusion.....	83

Chapter 4: The Existential Situation of Child Labour in Nigeria

4.0 Introduction.....	85
4.1. A Bill for an Act to provide and protect the Right of the Nigerian Child and other Related Matters, 2003.....	87
4.2. Child Rights' Laws and Child Labour Laws in Nigeria: Their Applications.....	89
4.3 Child Labour in Nigeria today.....	90
4.3.1 The Real Situation of Child Labour in Nigeria.....	96
4.4.0 Factors that hinder the Prohibition of Child Labour in Nigeria.....	98
4.4.1 The Real Nature of Nigerian Economy.....	99

4.4.2 Poverty as one of the major causes of Child Labour and Street Trading.....	101
4.4.3 Unemployment as one of the Major Causes of Child Labour.....	103
4.4.4 Cultural Factor as the most Persisting Factor.....	106
4.4.5 The Traditional understanding of Work in Nigeria: One of the major factors that hinders the Prohibition of Child Labour.....	106
4.4.6 The reasons behind Polygamy in Nigeria and their Effects on Child Labour.....	109
4.4.7 The Concept of hard-work in Nigeria and its Effect on Child Labour.....	111
4.4.8 Attitude to Work and Wealth in Nigeria before the Advent of Colonialism and Afterwards.....	112
4.4.9 Solidarity through Works among Nigerians: Another Persisting Factor that hinders the Prohibition of Child Labour.....	114
4.4.10 Socio-Political and Religious Instability in the Country and their Effects on Child Labour.....	114
4.4.11 Natural and Environmental Disasters.....	116
4.4.12 Traditional Apprenticeship as one of the Factors hindering the Abolition of Child Labour in Nigeria.....	117
4.4.13 Effects of Colonialism on the Nigerian Situation.....	119
4.5 The kind of Work Children do in Nigeria and its Effects.....	121
4.6. Causes and Consequences of Child Labour in Nigeria.....	122
4.6.1 Consequences of Child Labour in the Industrial Sector.....	123

4.6.2 Consequences in the Agricultural Sector.....	123
4.6.3 Consequences in the Sales and Service Sector.....	124
4.6.4 Consequences of Child Labour in Nigeria with Graphs and Analysis:.....	124
4.7 Assessment of Child Labour against the Background of Human Dignity and Children’s Rights.....	134
4.7.1 Child Labour and Poor School Attendance in Nigeria.....	136
4. 8. Conclusion.....	139

Chapter 5: Regulation of Child Labour: One of the Ways Forward

5. 0 Introduction.....	140
5.1. General Assessment of Child Labour versus Human Dignity and Child Rights.....	142
5.1.1 Unregulated Child Labour as a type of Humiliation.....	142
5.1.2 Unregulated Child Labour as Dehumanization.....	143
5.1.3 Unregulated Child Labour as Degradation.....	145
5.1.4 Unregulated Child Labour as using a Person (Instrumentalization).....	145
5.2.0 Why Regulation and the General Reasons for the Regulation.....	147
5.2.1 Unregulated Child Labour as Abuse and Neglect.....	150
a. Physical neglect	
b. Physical abuse	
c. Sexual abuse	
1. Incest	
2. Rape	
3. Prostitution	
4. Pedophilia	
5. Sexual harassment	
6. Debt bondage	

5.2.2 Unregulated Child Labour as a Threat to Children’s Education.....	154
5.3.0 What must be done to achieve this Objective: The Way Forward (What, Who and How?).....	157
5.3.1 What ought to be done.....	157
5.3.2 Who Regulates Poverty which is the Major Cause of Child Labour and How: The Empowerment of Farmers (Parents) by the Government.....	158
5.3.3 How to Regulate Child Labour with regard to Education: Educational System and the Urgent Need for Reform as one of the Ways to achieve this Goal.....	160
5.3.4 The Need to Create Awareness among Parents and Guardians through Research, Workshops and Seminars.....	161
5.3.5 Correcting the Negative Effects of Corruption and a Mentality Change.....	162
5.3.6 Patriotism as one of the Ways to achieve this Goal.....	164
5.4 Conclusion.....	165

Chapter 6: The Church on Child Labour

6.0 Introduction.....	167
6.1.0 The Church on Work Generally.....	167
6.1.1 The Church on Child Labour.....	170
6.2.0 The Role of the Church in Nigeria on the Issue of Child Labour and its Regulation...	172
6.2.1 The Roles of Justice, Development and Peace Commission (JDPC) of the Church for a Proper Regulation of Child Labour.....	175
a. The National JDPC Secretariat	
b. Provincial JDPC	
c. Diocesan JDPC	
d. Deanery/Zonal JDP Committee	
f. Outstations’ JDPPC	
6.2.2 The Impact of the Church in Nigeria on Education as a Way of Regulation of	

Child Labour.....	177
6.2.3 The Church’s Building of Schools as a Contributing Factor to Regulation of Child Labour.....	178
6.3 What the Church has not Done Well and what she needs to do more for a proper Regulation of Child Labour.....	179
6.4 Conclusion.....	180
Chapter 7: General Evaluation, Recommendations and Conclusion	
7.0 Introduction.....	182
7.1.0 What ought to be done to achieve this Objective and by Who.....	186
7.1.1 What ought to be done?.....	186
7.1.2 Who then Regulates Child Labour in Nigeria and How?.....	191
a. The Government	
b. The State	
c. The Parents	
d. The Church	
7.2 Conclusion.....	194
Bibliography.....	196

General Introduction

Childhood is a critical moment or time for the safe and healthy development of children. According to the New Encyclopaedia Britannica, the term childhood denotes a “period of the human lifespan between infancy and adolescence, extending from ages 1-2 to 12-13”¹ Childhood is non-specific and can imply a varying range of years in human development. In a broader sense, it refers to the period between infancy and adulthood. In common terms, childhood is considered to start automatically from birth. As a result of their nature as children and as people who are still growing, they have unique characteristics and needs in terms of physical, cognitive (thought/learning) and behavioural development and growth, etc. that must be taken into consideration. Child labour, therefore, is one of the greatest challenges of our time that affects the healthy development of children. When not regulated, it stands as a negation of our common humanity and a veritable waste of human capital. Child labour makes it impossible for children to have their normal physical, emotional and mental developments and therefore enjoy their childhood because their little shoulders carry the burden of adulthood in their tender years. Therefore, it deprives children of their childhood, their potential and their dignity. This act similarly enslaves children, separating them from the security of their families. This is a denial of the fundamental right of every child to have a normal physical and mental development and thereby enjoy his or her childhood. This act has been in practice right from the ancient times, in the Middle Ages and currently in this present age. It is considered exploitative and abusive by all countries and international bodies. The International Labour Organization on the Global Estimate of Child Labour estimates therefore that a “total of 152 million children – 64 million girls and 88 million boys – are in child labour globally, accounting for almost one in ten of all children worldwide. Nearly half of all those in child labour – 73 million children in absolute terms – are in hazardous work that directly endangers their health, safety, and moral development. Children in employment, a broader measure comprising both child labour and permitted forms of employment involving children of legal working age, number 218 million.”² Child labour stands a great threat to education. Therefore, children who do not complete their primary education as a result of child labour are likely to constitute nuisances in the society. They remain uneducated and never acquire the skills needed to get a job and contribute to the development of a nation. This

¹ Dale Hoiberg (Ed.) “Childhood” in The New Encyclopaedia Britannica, Vol.3, 15th edition, Chicago: Encyclopaedia Britannica Inc. 2015, p. 210.

² International Labour Organisation: on the Global Estimate of Child Labour: Results and trends, 2012- 2016, International Labour Office (ILO), Geneva, 2017 (Accessed 20th November 2017 from https://www.alliance87.org/global_estimates_of_child_labour-res).

situation results in under-skilled, unqualified workers and thus perpetuating the cycle. Child labour has occurred at some points in time in virtually all parts of the world as nations as we will see, as we go on with our discussion and Nigeria is not an exception as will be discussed in this work. Consequently, child labour results in scores of under-skilled, unqualified workers and jeopardizes future improvements of skills in the workforce. Child labour occurs as a result of very many reasons but mostly as a consequence of the pressures of poverty, lack of development and simply as a result of exploitation. In order to resolve these problems caused by child labour, many strategies have been applied, and most of these strategies failed. Therefore, the present strategy of removing children from work and sending them to school has not really worked. This is so because the economic and social situations and problems that pushed them into labour have not changed. So, eliminating child labour is not possible without first of all eliminating these factors that led the child to work. These social and economic problems still remain a driving force for both the family and the child. Formal education as one of the strategies, therefore, is not a magic wand. Schools do not solve poverty, deprivation, unemployment and discrimination. Child labour, therefore, remains a burning issue and calls for urgent attention.

Using Nigeria as the case study, it is discovered that there are many under-aged children doing one job or another to make both ends meet, thereby being denied of their fundamental rights to education and proper development. A good number of them are daily exploited at many levels and degrees with the disastrous consequences of turning the children so affected into criminals, beggars on the streets, drug addicts, prostitutes, etc. Regulation of child labour in Nigeria, therefore, is one of the best options presently as will be discussed in this work. It aims at controlling the abuses and exploitations of children at work places and also to offer a better condition of work that will not affect their healthy development. Ban on child labour, in this case, does not provide any workable solution to this problem and is not working due to some of these factors, namely: Nigeria is still a developing country and a third world country, the rate of poverty is still very high and still growing every day, there is high level of ignorance by the parents and guardians, high rate of unemployment and inadequate salary scale, corruption at all levels of government, the traditional understanding of work in Nigeria, etc. The traditional understanding of work in Nigeria has been the most persisting factor. Nigerians are well known for their hard work, innovation, industry, etc. Among many values that are seen and identified with the Nigerians is the virtue of hard work. The elders often spurred their youths with the admonitions to hard work. In order to impress the parents on this

regard, children go extra miles to do some work or the other that sometimes are not good for their healthy development and some of them are taken to farm at the early age of their lives. Basden G, a British missionary who lived with the Igbos in Nigeria for many years, recording the complexities of their culture at all stages in life, from childhood to the intricate rituals surrounding death, for his white European audience confirmed this practice among the people, thus “in the season, boys accompany their elders to the farms, and get an insight into the business of raising produce, the amount of work actually done by them varying according to the disposition and circumstances of the parents. They are also called upon to help in building operations; the task usually allotted them being to carry the lumps of puddled clay from the pit to the builders. They become useful while still extraordinarily young, assimilating an incredible stock of practical knowledge. They become familiar with certain aspects of bird, animal and plant life, but cannot be characterized as observant of things unconnected with their personal affairs.”³ This implies that boys start very early in life to follow their parents or elders to farms or other businesses. This practice helps them to learn very in life how to do certain things that their parents do irrespective of the fact that some of these practices is not good for normal and healthy development.

Similarly according to him, “the girls join their mothers in weeding of the farms. They fetched water, washed the plates, fetched firewood together with their brothers and kept the house tidy...girls take a share in the household duties. They begin by carrying water, collecting firewood, rubbing floors, assisting in the preparation of food, and then, later on, accompanying their elders to the markets where they are initiated into the technicalities of trade.”⁴ The girls do mostly household works and sometimes no one knows how exploitative and abusive these situations will be for them. Reasoning along this line of thought, Talbot Amaury, a versatile British official, Botanist, Anthropologist and African explorer and was in the Nigerian Political Service expressed this practice in as evidenced by the people of Southern Nigeria, thus: “children are taken to farm by their mothers from the earliest age, and begin to work as soon as they can weed or to wield a matched – say from six to ten years old, while girls begin to fetch water at the same age and both sexes to carry small loads from the

³ Basden George Thomas., *Among the Ibos of Nigeria*, 1921, reprint, London: University Publishers Co, 1966, p.66.

⁴ *Ibid*

farm to the house”⁵ In most cases, they start to work without knowing if the work they do is good for their age or not.

My major preoccupation in this work, therefore, is to make a detailed presentation of the different conceptions and meanings of child labour and the regulation of child labour. General reasons having to do with the situations that led children into work, how they work and the different types of work they do, the range of children’s work, comprising of both paid work outside the family and work within the family. Then, the different forms of child labour and the regulation of child labour will be handled in the first chapter.

In the second chapter, the different forms of child labour, especially in Africa would be presented. In addition, worst forms of child labour in Nigeria and the forms and experiences of the working children in different continents of the world, namely: child labour in Asia, child labour in Latin America and the Caribbean are also enunciated to show their differences and similarities. The summary of the concept of work and child labour by the international labour organisation (ILO) and Terre des Hommes will further demonstrate the roles, these bodies have played in the area of child labour and child labour regulation. Their strategies and plans have really helped children, especially the working children. Children's dignity, their rights and its violation through child labour open up another horizon for thorough assessment of the topic. The very many reasons why child labour is seen as a complex phenomenon also form an important trajectory of the dissertation. Things that make work really exploitative and infringes on children’s rights such as: the long hours of work, the inhuman conditions, the strenuous tasks, etc, are worth mentioning and elaborated. The focus on the well-being and rights of children and humane alternatives to child labour are necessary in order to enable children to lead a life in dignity. Accordingly, Terre des Hommes' opinion on the empowerment of working children and the abolition of child labour, as well as the social, political and economic demands will further be discussed.

In the third chapter, many topics would be treated concentrating on the fact that a child has a right and dignity because he or she is a human being. This includes: child labour: a threat to the child’s healthy development and an infringement on the child’s dignity and rights. That would include: the general concept of human dignity, sources of human dignity, human right, right to human dignity, child rights, Summary of United Nations Conventions on the Rights of

⁵ Talbot P. Amaury, *The Peoples of the Southern Nigeria*, Vol. 11, London: Frank Cass & Co. Ltd, 1969, p.389.

the Child, etc. Child rights' laws, child labour laws in Nigeria, their applications and how child labour violates the rights of children and the situations of the affected children. Worthy of note is that there are interesting laws that protect the rights of the child, but the applications of these laws are the problem. Child abuse and neglect as the after effect of child labour are all issues that would be handled in detail.

The fourth chapter investigates the real situations of child labour in Nigeria. It begins with a detailed presentations of the It would of course amount to a homecoming to address this issue from the Nigerian perspective, namely: child labour laws in Nigeria, a bill for an act to provide and protect the right of the Nigerian child and other related matters. This chapter also will handle: the existential situations of child labour in Nigeria, causes and consequences of child labour in Nigeria, major causes of unregulated child labour in Nigeria, consequences of child labour in the industrial sector, consequences in the sector, consequences in the sales and service sector, consequences of child labour in with graphs and analysis, poverty as the major cause of child labour and street trading, unregulated child labour and poor school attendance in Nigeria, effects of colonialism on the Nigerian situation, the real nature of Nigerian economy, child labour in Nigeria, the real situation of unregulated child labour in Nigeria, effects and implications of child labour in Nigeria, factors that hinder the prohibition of child labour in Nigeria, cultural factor as the most persisting factor. The traditional understanding of work in Nigeria is one of the major causes of child labour and stands as the major factor that hinders the prohibition of child labour. The reasons behind polygamy in Nigeria and their effects on child labour, the concept of hard-work in Nigeria and its effect on child labour, attitude to work and wealth in Nigeria before the advent of colonialism and afterwards other factors that affect the prohibition of child labour. The kind of work children do in Nigeria and its effects and solidarity through works among Nigerians will demonstrate other persisting factors that hinder the prohibition of child labour. Social, political and religious instability in the country, natural and environmental disasters, traditional apprenticeship and unemployment are further step to explain these factors hindering the abolition of child labour in Nigeria. This work will then demonstrate with practical examples how child labour especially when not regulated is a negation of human dignity, and it tampers with the essential dignity and right of the child. This bad and ugly situation can stunt the healthy development of the child (physically, morally, intellectually and otherwise). A critical presentation of the child fundamental rights (primary education, basic needs, provision of pocket money etc) will be a further step to demonstrate that such an engagement

without strict regulation is a denial of the child's basic needs, freedom and dignity that may better be judged as an erosion of the conscience of the society.

Chapter five handles the topic from the perspective of regulating child labour. The reasons for a regulation and not abolition are given: reasons for the regulation, unregulated child labour as abuse and neglect, unregulated child labour as a threat to children's education, unregulated child labour as types of humiliation, dehumanization, degradation, and as using a person (Instrumentalization) The ways and means of the realization of the regulation are also presented in this chapter. What must be done to achieve this objective; namely: the way forward (what to be done, who to do this and how this should be done?) This objective then will be achieved by the empowerment of farmers (parents) by the government, review of educational system, the urgent need for reform as one of the ways to achieve this goal, the need to create awareness among parents and guardians through research, workshops and seminars. Worthy of note is that correcting the negative effects of corruption, a mentality change and patriotism will also serve as a means to achieve this goal. The church, the government, human right organizations, the society and the parents have still more important roles to play in order to achieve this very objective, despite the fact that they have already played an active role towards the eradication of child labour especially the unregulated ones.

The contributions of the catholic church in general and more especially, the church in Nigeria will be presented in chapter six in order to see the very many strategies the church has applied to regulate child labour. Some of these strategies include: building of schools, empowering the parents to take care of their problems, granting loans to farmers especially those in rural areas, constituting organisations that fight injustice and corruption especially those ones that are connected to children, etc. This will also include: what the church has done to regulate child labour, the very many ways she has contributed to child labour and what she needs to do more in order to offer a better regulation.

A critical evaluation and recommendations will bring this work to a conclusion. A lot needs to be done to end these abuses and exploitations altogether. The root causes of child labour should first of all be handled adequately in the first instance hoping that it will contribute immensely to regulate this situation.

Chapter 1: The General Concepts and Theories of Childhood, Child Labour and Regulation

1.0 Introduction

The concepts of childhood, child labour and child labour regulation have remained burning issues both in the intellectual, social and political levels. This is as a result of various conceptions of these allied concepts and the abuses and exploitations of children involved in child labour. According to UNICEF (The United Nations Children's Fund: a United Nations body that protects and defends the rights of every child), “childhood is the time for children to be in school and at play, to grow strong and confident with the love and encouragement of their family and an extended community of caring adults. It is a precious time in which children should live free from fear, safe from violence and protected from abuse and exploitation. As such, childhood means much more than just the space between birth and the attainment of adulthood. It refers to the state and condition of a child’s life, to the quality of those years.”⁶ Many nations have offered various regulatory strategies in order to solve this problem of child labour because of its violation of the basic dignity and rights of the children involved. This chapter therefore will give detailed presentations of these key concepts and themes: childhood, child labour and regulation of child labour. The differences between child labour and child work will be presented in order to make the concepts clearer.

Therefore, these concepts and themes remain the working concepts that will be handled in this chapter in their different forms and how they relate and connect to each other.

1.1 The General Concept of Childhood

The concept of childhood has been a topic of popular debate and discussion over time and most especially in the recent times. The concept of Childhood has not been defined, analysed and experienced in the same way in every society, culture and tradition. But, in a broadly sense according to Sally Wehmeier in Oxford Advanced Learner’s Dictionary, childhood is “the condition or period of being a child”⁷ The modern Western conception of childhood is quite different. It is quite historically and culturally specified. In the light of the above saying therefore, Philippe Ariès (1962) was one of the first to suggest in this period that the concept

⁶ United Nations Children's Fund (UNICEF), on “Childhood under Threat: The State of the World’s Children 2005” (Accessed 19th. August, 2016 from <https://www.unicef.org/sowc05/english/childhooddefined.html>).

⁷ Sally Wehmeier, et al, “Childhood” in Oxford Advanced Learner’s Dictionary, 7th Edition, New York: Oxford University Press, 2000, p. 192.

of childhood is a modern invention and discovery. He argued that in the medieval times, children were automatically regarded as small adults once they passed the age of infancy. Consequently, they are dressed like adults and they are placed under the same conditions of work and leisure as adults. So, it is clear from Ariès' own evidence that children did not always do the same work as adults and they occupied a distinct place within the society. Similarly on this point, David Archard (1993) also made a useful distinction between a concept of childhood and a conception of childhood. A concept of childhood requires only that children are in some way distinguished from adults; a conception entails more specific ideas about children's distinctiveness. The existence of a concept of childhood in the past does not mean that those people shared the modern conception of childhood. Medieval writers thought of childhood rather differently from how it is viewed today. They dwelt on the status and duties of children and on the rights accorded them at various stages of maturity. Childhood was defined primarily as a social status rather than as a psychological, developmental stage.

From the religious point of view, Moslems acknowledged the fact that the very concept of Islamic childhood is a problematic concept due to the wide range of cultural, economic, and social diversities that exist within the Islamic countries, and the fact that the so-called Islamic childhood is constructed and reconstructed, being influenced by such a diversity of powerful factors. Despite this, the influence of Islamic religious tradition and more specifically the Sharia law on cultural understandings and practices of childhood as well as its long-term and ongoing influence on family laws, within the Islamic context provides a strong rationale to comprehend Islamic childhood as a meaningful concept in the wider area of childhood studies.

From the Theological view point, Christianity offers a mixed legacy to the history of childhood. On the one hand, the teachings of Jesus present childhood as the model for discipleship. Accordingly, newly baptized Christians regardless of their age were called infants and stories of conversion often depict a physical return to childhood. From the first centuries of Christianity, discussions on childhood and children fall into three categories: descriptions of spiritual childhood, discussions on the care and education of children, and theological discussions on the problems that childhood and children presented, specifically the issues of sin and suffering. Similarly, according to Christian Faith, the teachings of Jesus himself presented childhood as a model for the spiritual life. Thus, "Whoever does not receive

the kingdom of God as a little child will never enter it" (Mark 10:15). Initiation into the faith returns one to childhood and the rites of Christian initiation were replete with the symbolism of birth and infancy, motherhood and childbearing. Childhood also functioned as a model for Christian spirituality, but the actual life of children was more problematic. In the Roman world, children were routinely abandoned in rural places, in designated sections of the marketplace or later, on the steps of churches. Early Christian writers like Justin the Martyr, Athenagoras and Tertullian in the second century and Lactantius in the third century denounced the practice as infanticide, even as they acknowledged that not all exposed children fall prey to hunger or wild animals. More likely, children escaped death only to be raised as slaves or prostitutes. It is more likely that these early Christian theologians were troubled by the fate of children in a world that regarded them as disposable. Children from poor background faced a spectrum of dangers ranging from hunger to abandonment, but disease and death cut across class lines. Indeed, the perils of childhood deeply impressed the early Christian writers, and with the end of persecution they turned their theological attention to children.

Recently, there have been an increasing numbers of literatures on this topic and these have really provided avenues for thinkers, researchers, and interested scholars, to consciously reflect on the understandings and different conceptions of childhood. There are basically two images of the child as presented in these conceptions, namely: the innocent child, in which children are portrayed as being powerless and vulnerable, subjected to the authority and protection of adults, and secondly the child that is out-of-control. This implies that our ideas of who children are, how they think and how they should behave have embedded themselves so deeply in our culture that our basic understandings of childhood often complicate and interpenetrate one another. Michael Bourdillon, a professor emeritus in the department of sociology at the University of Zimbabwe and he has studied working children regionally and internationally, in explaining his own understanding of childhood says that "prevailing Christian dogma presented humankind as innately corrupted by original sin that must be contained and repressed by society.... People are born naturally good, but are corrupted by society, and that children should be nurtured in such a way as to allow them to retain as much of their natural virtue as is permitted by the need to grow up and adapt to society"⁸ This implies that human being is born naturally good and it is only the society that corrupts him or

⁸ Michael Bourdillon et.al, *Rights and Wrongs of Children's Work*, London: Rutgers University Press, 2010, p.10.

her. Therefore, children should be carefully guided in order to protect them from the society that corrupts them. Going further, he argued that “This vision of childhood based on religious and philosophical views rather than empirical observation, continues to have a substantial impact on international thinking about childhood, including thinking among elites in many developed countries. The M. Venkataragaiya Foundation in Southern India, for example, “believes that every child has a right to childhood and an opportunity to develop to his or her full potential and that every form of work done by a child interferes with this right. In this view, anything more than occasional light work is inimical to a proper childhood, which should be dedicated to school and play, without the burdens of helping to earn the family livelihood or, beyond light chores, maintaining the home and taking responsibility for younger children. This sweeping condemnation of work as a serious threat to children’s development seems never to have been accepted by most parents in the world, even in rich countries, but it has found a powerful home in labour and associated activist groups focused on the elimination of child labour.”⁹

This conception of the innocent child is still inherent in all cultures and prevalent in our society today, and is reflected in codes of conducts towards children, such as the Convention on the Rights of the Child Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 entry into force 2 September 1990, in accordance with article 49, thus: Article 1 handles the purposes of the present Convention and a child means for the convention every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

Article 2:n.1 states that parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind. This is done irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

Article 2.n2 states that parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment and even abuses on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

⁹ Ibid.

Article 3: N.1 states that in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration. This is very important and that is the reason why it calls for a primary consideration.

2. States that parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures. Such measures will help to protect the children involved.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform to the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

Article 4: states that parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation. These measures here will help to protect the interest of the child with regard to their dignity and rights.

Article 5: states that parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.¹⁰ The above quotation goes a long way to explain who the child is and the position the child occupies in the society. Children are an important part of the society and occupy an important

¹⁰ Cf. Convention on the Rights of the Child Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 (Accessed 11th of July 2016 from https://ec.europa.eu/.../united-nations-convention-rights_en).

Similarly, the conception of childhood as the out-of-control child goes contrary to the conception of innocent child. The out-of-control child is described as effectively using his or her powers or energies in a negative way that is not good for his or her moral, physical and mental developments.

place and position in the society. As a result of their nature as children, care should be taken with regard to their physical and mental developments. Everything that has to do with children will always take into account the innocent nature of children and the need to help them to grow in the right way.¹¹ All these different conceptions and theories of childhood go a long way to explain the very many ways in which different traditions, cultures, societies and religions understand this very concept. But it will be good at this juncture, to point out immediately that the preoccupation here in this work is on the innocent child that is powerless and vulnerable and therefore subjected to the protection of adults and authorities.

1.2 Differences between Child Labour and Child Work

It will be good at this juncture to differentiate between child labour and child work. The differentiation will help us a great deal to know exactly which is which. Worthy of note is that there is not much distinction between the two. This will be evidenced in the course of the discussion. The work will further concentrate on the area of child labour, which is my major preoccupation in this work. Jens Andvig, a social activist, in his work “Issues in Child Labour in Africa”, argued that “most child labour in Africa takes place at home. Some labour might be harmful while other kinds are either harmless or develop skills. Furthermore, the health and the nutritional status of the individual child greatly affect to what degree the same labour is harmful or helpful. We cannot find an easy operational way to divide child labour into good or bad.”¹²

Child work means a participation in economic activity that does not negatively affect the healthy and normal development of the child or interfere with his or her education. It is recommended and permitted from the age of twelve. Child labour on the other hand refers to all work or activities that children perform who are below the age of twelve and above, and are detrimental and harmful to the normal and healthy development of these children and at the same time interfere with their education. Worthy of note is that this type of work is harmful and unregulated. On the contrary, child work is performed under supervision and is regulated. Similarly, children’s participation in work that does not affect their health, normal and personal development or interfere with their schooling and is generally regarded as being

¹¹ Cf. Ibid.

¹² Jens Chr. Andvig et al., “Issues in Child Labour in Africa” in Human Development Sector Africa Region, The World Bank, September, 2001, p. 9.

something positive should be encouraged. This includes activities such as helping their parents in domestic activities namely: assisting them in the family business, earning pocket money to take care of their personal effects for little hours and during school holiday periods. These kinds of activities contribute to children's normal and mental developments and also contribute to the welfare and needs of their families. They also provide the children with skills, experiences and help to prepare them to be productive and valuable members of society during their adult life. According to International Labour Organisation: on the Elimination of Child Labour, the term child labour is often defined as work that deprives children of their childhood, their potential and their dignity and that is harmful to their physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and interferes with their schooling by depriving them of the opportunity to attend school or obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work. In its most extreme forms, child labour involves children being enslaved, separated from their families, exposed to serious hazards and illnesses and/or left to fend for themselves on the streets of large cities often at a very early age. Whether or not particular forms of work can be called child labour depends on the child's age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. The answer varies from country to country, as well as among sectors within countries.¹³ It will be good at this point to make a clearer distinction by separating the two main concepts here, namely child work and child labour.

1.2.1 Child Work

According to Jens Chr. Andvig, "by child work, we mean work performed by children under fifteen years of age. Child work is simply a descriptive term in which we assume nothing about welfare consequences."¹⁴ Similarly, child work is described as "labour performed in the children's residence, either in their parent's home or the home of close relatives. The family arrangements may be complex, so we sometimes use the terms 'guardians or monitors' as

¹³ Cf. International Labour Organisation: on the Elimination of Child Labour (Accessed, 20th July 2013 from www.ilo.org/ipec/facts/lang--en/index.htm).

¹⁴ Jens Chr. Andvig et. al., "Issues in Child Labour in Africa" Human Development Sector African Region, The World Bank. September, 2001. p.9.

terms for the adult who organize the children's work at home."¹⁵ In this situation, the work that the child does, is strictly under supervision and strictly regulated. Reasoning along this line Obayelu Abiodun et. al quoted Amma H. et. al, who undertook the study of child labour in Tanzania, in a Conference work "The Nature and Extent of Child Labour in Tanzania" add that "child work covers tasks and activities that are undertaken by children to assist their parents: cooking, washing dishes, weeding in farms, planting, harvesting crops, fetching waters and firewood, herding cattle and babysitting. Child work in this case geared towards the socialization process. For instance, a child may be requested by a close relative to run some errands for him or her that does not interfere with the child's normal and healthy development. The child therefore can learn a lot from such situations and experiences. It is part of the upbringing process."¹⁶ It also refers to a positive participation of children in an economic activity, which is not detrimental to their health or mental and physical development; on the contrary, it is a beneficial work, which strengthens or encourages the child's development. It allows a normal schooling and does not impede the child from doing leisure activities or resting. Across the world, millions of young people legitimately undertake work, paid or unpaid, that is appropriate for their age and level of maturity. This kind of light work is permitted from the age of twelve years.¹⁷ The watch word here is that it must be a positive participation in an economic activity. The word 'Positive' already explains this fact. For example, a child may be employed to help his or her uncle during the weekends or any other day for a controlled number of hours that are good for the child and some house jobs like: cleaning the house, keeping the compound clean, helping in domestic activities that do not create a room for exploitation, abuse, or detrimental to their health conditions. In a similar case, for any given child involved in housework, the family atmosphere will be important, particularly for the long-term psychological effects of the child's work for the family. If for example, the oldest girl sacrifices her own schooling in order to take care of her siblings, that labours' effect on her future working capacity will depend on whether she is forced to do it and whether she receives recognition or spite.¹⁸ Sometimes, children are involved in an exploitative situation in this case and they are not free to move out of this exploitative household activity. As such a greater percentage of the forms of child exploitation in Nigeria

¹⁵ Ibid.

¹⁶ Obayelu Abiodun et. al, Analysis of Child Labour and School Attendance in Nigeria quoted Amma H. et.al, The Nature and Extent of Child Labour in Tanzania: A Baseline Study, ILO-IPEC, March, 2000: The present and future implications, Nigeria, Faculty of Agriculture and Forestry, University of Ibadan, 2007, p. 3.

¹⁷ Cf. Chima F. Madu, "The difference between Child Labour and Child Work" in Voice of the Youth.(Accessed 20th June 2017 from www.voicesofyouth.org/.../the-difference-between-child-labour).

¹⁸ Cf. Jens Chr. Andvig et al., op. Cit., p.11.

take place in this system and it is very difficult to recognize and even to make it public. There are many reasons why children are involved in this. Jens Chr. Andvig analysed this situation further: “1-The parents or guardians normally send the children away from their family when they hesitate to be involved in this kind of labour as a way of punishing them.

2-In most cases, children normally will run away from their homes, from their parents and guardians as a way to be free from exploitative and worst forms of child’s labour in their homes.”¹⁹

This is so because sometimes children overworked themselves in their guardians’ homes and farmlands more often. Moreover, the works children do differ from one country to another and are mostly unevenly distributed. Thus, in most cultures “a large number of the girls were treated like small children and were given some freedom to play while the rest had approximately the same workload as adult women. The age at which girls were treated as adults differed among the families.”²⁰ This is a determinant factor about child labour. In some cultures also, the girls start earlier than the boys. Jens argues further that “children are within the guardians’ control for a limited period of their economic life, while the eventual negative effects on the children’s future productivity of non-schooling will become the burden of the children themselves. Moreover, the children are in full control of their income.”²¹ Similarly, “children’s work in the households sector, whether harmful or not, is not always caused by poverty alone, even at the individual level. While the farms are too poor or the guardians too disorganized, for example through alcoholism, there will often be too few assets for children to work with or no monitors present, illness may be the result.”²² Child work can also be exploitative and abusive depending on the conditions involved. Such as, a child may be employed by a close relative to work for him or her, and at the same time be exploited and abused. Worthy of note is that exploitations in these situations are not easily observed and sometimes remain private and unnoticed. Little wonder it is extremely difficult to make a clearer distinction between the two concepts, child labour and child work, because there is great possibility of a child being also exploited or abused in child work.

¹⁹ Ibid.

²⁰ Ibid., p.14.

²¹ Ibid., p.15.

²² Ibid., p.16.

1.2.2 Child Labour

Generally speaking, child labour means “labour performed by children believed to be too young, meaning that by doing so they unduly reduce their present economic welfare or their future income earning capabilities, either by shrinking their future external choice sets or by reducing their own future, individual productive capabilities.”²³ Child labour is predominantly practiced in rural areas and most especially in third world countries like in Nigeria. In this case, the children mostly work in agriculture: herding, cultivation of crops and other farm works. In mechanical workshops, they work as apprentices in various areas or trades such as carpentering, barbing, metal work, weaving, tailoring, catering, hair dressing and auto repairs. In urban areas and towns, they work on the streets as vendors, selling Newspapers and magazines, shoe shinning, selling fruits and cigarette, car washers and bus conductors. From another perspective, the expression child labour refers to all the kinds of work which occur in violation of the international conventions. These labours can be destructive ones because, in most cases, they are not regulated. This is why it is important to distinguish between beneficial works from intolerable labour. By this, I mean works that are not healthy for the child. Similarly, “child labour refers to work carried out to the detriment and endangerment of the child, mentally, physically, socially and morally. It is characterized by denial of the right of children to education and other opportunities, children’s separation from their families, and poor working conditions that include among other long working hours, poor working environment, having work regardless of age and sex, and so on.”²⁴ The watch word here is works that are carried out to the detriment and endangerment of the child. Child labour in this sense is seen as exploitative and abusive and affects the child’s right to education and healthy development.

Bonded labour or debt bondage, on the other hand, is an aspect of child labour but of the worst forms. It is defined as “the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for a debt.”²⁵ Bonded labour is considered as one of the worst forms of child labour in ILO Convention. In this form of child labour according to the convention, “parents borrow from the future by putting their children to work rather than investing in human capital that will make their children more

²³ Ibid., p.9.

²⁴ Obayelu Abiodun Elijah et. al, “Analysis of Child Labour and School attendance in Nigeria: The present and future implications, Nigeria”, Faculty of Agriculture and Forestry, University of Ibadan, 2007, p.3. (Cf. They are scholars who have researched extensively on the activities of working children in Nigeria and then wrote the article)

²⁵ Ibid.

productive in the future.”²⁶ Every child has the right to freedom from forced and exploitative labour. In the fight to eliminate all forms of child labour, it will be important to understand that not all work done by children is classified as child labour. Child labour should be differentiated from child work. So, the term child labour is often defined as work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; deprives children of the opportunity to attend school or leave school prematurely; requiring them to attempt to combine school attendance with excessively long and heavy work and work that is in violation of a country’s minimum Age Laws of working. In its most extreme forms, child labour and especially the unregulated ones involve a sort of child slavery, debt bondage, children separated from their families, child trafficking, children exposed to serious hazards and illnesses or left to fend for themselves on the streets of large cities. This is often at a very early age. Whether or not particular forms of work can be called child labour depends on the child’s age, the type and hours of work performed, the conditions under which it is performed and the objectives pursued by individual countries. What is most important is the fact that most times, they are not regulated to know whether they are good and fit for children.

Similarly, in the recent past, it has become recognized that there are children who are harmed by the very people who are expected to protect them. During this period there has been a great increase in interest and research in the problem in developed countries, particularly those of North America, Africa and Europe. On the other hand, in developing countries less attention has been given. Nevertheless, child abuse and neglect in their various forms are now known to be of global importance, affecting the health of a very large number of children in developing as well as developed countries. Today, throughout the world, many children work full-time. They do not go to school and have little or no time to play. Many do not receive proper nutrition or care. They are denied the chance to be children. More than half of them are exposed to worst forms of child labour such as work in hazardous environments, slavery, or other forms of forced labour, illicit activities including drug trafficking and prostitution, as well as involvement in armed conflict. A good definition of child labour and the work children do will help us a great deal further to demonstrate how these works done by the child abuse the child and negates his dignity. According to Michael Bourdillon et.al: “Child labour

²⁶ Ibid.

is considered the rough equivalent of children's economic activity which can be thought of as work that contributes goods and services of monetary value to society. This includes almost all productive activity, whether full time or part time, paid or not. It specifically excludes schooling and chores in one's own household."²⁷ Child labour here is seen as all activities that children undertake whether fulltime or part time, that affects their healthy development especially schooling.

Some children do more work than others. These types of work they undertake vary in degrees. Punch Samantha, a Professor of Sociology and Dean of Graduate Studies at Stirling University, who undertook Studies Sociology of Childhood, Childhood studies argued that "the amount of work undertaken by particular children depends on a variety of factors. Children in poor families have more of all kinds of work than those of rich households. Girls generally have more housework, while boys may have more work outside the home (though not usually making up for the extra housework that girls do) The pressure on younger siblings to work may be lessened or removed by the contributions of older siblings and vice versa."²⁸ In every society children are required to do some work and such work may differ depending on the society involved. This type of work is an important part of a child's primary education and a means of handing over necessary skills from parent to children. This kind of work is beneficial to the child's physical, mental, spiritual, moral and social development provided it does not interfere with schooling, recreation and rest. Child labour in contrast is the work done by children under conditions harmful to their health usually for long hours and very low wages. Such work is destructive and exploitative. Children are not physically suited to long hours of strenuous and monotonous work. They are not usually aware of dangers; neither do they have enough knowledge of the precautions they should be taking. Child labour also refers to employment of children at regular and sustained labour. This practice is considered exploitative by many international organizations and is illegal in many countries. Over 200 million children between five and fourteen years of age are working worldwide. This figure represents one-fifth of the total population of girls and boys in this age group. About 111 million children are in what has been termed as hazardous work which refers to forms of labour which are likely to have adverse effects on the child's safety, health, and moral development. Nearly 10 million of these children are engaged in some form of slave labour, armed conflict, prostitution or pornography, or other illicit activities. Some observers believe

²⁷ Michael Bourdillon (et al.) Rights and Wrongs of Child Work, p.24.

²⁸ Punch Samantha, "Household division of Labour" in Work, Employment and Society, Sage Journals, 2001, Vol.15, N.4, p. 811-812.

that these figures understate the real magnitude of child labour. The implications of this situation are significant, complex and multidimensional. The hazardous and worst forms of child labour are of universal concern, given the obvious harm that they inflict on the lives of these children and their possibilities for a hopeful future. Child labour also has important economic implications. Most notable are the substantial future income losses that working children will incur because of the negative consequences working will have on their human capital, including their health and education. Since children are more likely to work and not go to school if their parents worked as children, the economic losses associated with child labour and their implications for poverty are often transmitted across generations.²⁹ On the contrary, not all child labour is exploitative and abusive. By this, I mean that, there are some situations of child labour in which the child is not exploited and abused, namely: some situations where the child is placed under controlled conditions and all other possibilities for exploitations are completely ruled out. Other concrete instances of child labour will be seen in the course of this discussion.

1.2.3 Work in Children's Development

It is a major task to encourage or promote children's development. Then one might find good reasons to consider positive effects of work in child development (works that are not harmful) R. A. Levine & Rebecca S., edited many articles on the introduction to the study of cultural variations in childhood across the world and to the theoretical frameworks for investigating and interpreting. They argued that work "is the growth of children with age in bodily size, neural connections and the differentiation and organization of their mental life."³⁰ Work is an important developmental activity; it is a means through which children acquire responsibility and useful skills, establish a positive community reputation and form relationships essential to their integration into the society. Therefore, some works are developmentally valuable and healthy to children. Little wonder, not all works are harmful to children, such as light works, that are carefully monitored and are under strict supervision can constitute an essential part of children's socialization and development process. In this case, they learn to take responsibility

²⁹ Cf. Gordon Betcherman et. al "Child Labour, Education, and Children's Rights" in World Bank Social Protection Discussion Paper Series, No.0412, Washington: The World Bank, July 2004. (They are one group of scholars, who have written extensively on the issues of child Labour, child education and child rights).

³⁰ Roberth. A. Levine & Rebecca S. New (Eds), "Anthropology and Child Development: A Cross-Cultural Reader" in Journal of the Society for Psychological Anthropology, 1+366pp, Malden: Blackwell, 2008 p. 30.

and gain pride in their achievements and accomplishments. Work of this sort is not without risk and danger and it is not seen as child labour. However, Michael Bourdillon argues further that “popular culture does not create law, and child work is a topic to which culture and law are out of step with each other where it most counts—in national and international policies governing child work. While current policies reflect a legitimate public concern that some kinds of work and working conditions may put children’s physical and mental development at risk, they neglect to take into account equally important developmental advantages that work may be seen to provide. This imbalance implies that risk should be the unique consideration in assessing child work, and it encourages the spurious presumption that the very act of working places children’s development at risk.”³¹ So, from the above citation, it is observed that it is the major task of every society or culture to protect the dignity and rights of the child, especially to protect the child from the economic exploitation and abuse. This is exactly what Edward Soja called justice. Soja, a distinguished Professor of Urban Planning and who argues that justice has geography and that the equitable distribution of resources, services and access is a basic human right. And for him therefore “seeking to increase justice or to decrease injustice thus becomes a fundamental objective in all societies, a foundational principle of maximizing human dignity and fairness”³² He goes further to argue that “seeking justice today seems to be imbued with a symbolic force that works more effectively across cleavages of class, race, and gender to foster a collective political consciousness, create a sense of solidarity based on shared experience, and focus attention on the most challenging problems in the contemporary world in ways that span large segments of the political spectrum.”³³ This is because “many children do in fact work in hazardous, exploitative, or otherwise harmful circumstances that many have observed to undermine their development in various ways. Child trafficking and slavery, for instance, are real and present, and demand concerted action.”³⁴ It is then an established fact that children are abused through child labour and in most cases they are not even aware of the fact that they are being exploited.

³¹ Michael, Bourdillon, (et.al.) p.89.

³² Edward Soja, *Seeking Spatial Justice*, Minnesota: University of Minnesota Press, 2010, p.20-21.

³³ *Ibid.*, p.21.

³⁴ *Ibid.*, p.90.

1.2.4 General Reasons why Children Work

It will be strange to ask why adults work. But to ask the reason children work suggests immediately that child work is unusual and needs explanation, even though most people have done some kind of work during childhood. The primary reason children are involved in one form of labour or the other is poverty and the implication is that families are seeking resources beyond those they have. As a result of this situation, they are expected to contribute immensely to the household income. This happens especially in the cases of children who come from destitute families and must work in order to assist their parents to make both ends meet in the family. In developing countries, the most common reason for child work is as a result of poverty. Another factor that is associated with child work is the culture of child-rearing. This implies treating children's work as normal developmental factor in growing up of children. Sequel to this is that "many adults in low income countries are reluctant to condemn children's work because as they frequently point out, many children take on productive work out of necessity. If they do not work, they cannot eat."³⁵ Other reasons why children work revolve around this major reason, thus for Whitehead, Ann (et.al) of the Anthropolgy department, University of Sussex has it that being good in a particular cultural context or situation may involve contributing directly to one's own personal problems and that of the family.³⁶ So, the works of children mostly provide income that is very significant and emancipate them from the worst forms and adverse effect of poverty. A research on this effect shows that most working children contribute immensely to their family income. Lipi, a forty-year-old domestic servant and female household head confirm this according to Economic and Cultural forces in the child labour debate that i had no choice about sending my son to work. It was not possible for me to run my family on my income. My job is very unreliable. I have to feed all of my children.³⁷ Similarly, Kabir, a fifty-year-old scrap metal dealer and a father of a fifteen-year-old working son said without mincing words argued that his family is a poor family and so everybody should work. What points is there in thinking about the future? If you can't eat now, you will not see tomorrow³⁸ Therefore, to limit child work in this case is practically impossible. Children most times engage in harmful work

³⁵ Ibid., p.66.

³⁶ Cf. Whitehead, Ann, et.al., "Working Paper T24" in Brighton Child Migration, Child Agency and Inter-Generational Relations in Africa and South Asia: Development Research Centre on Migration, Globalization and Poverty: University of Sussex, 2007, p.20.

³⁷ Cf. Delap, Emily(2001), "Economic and Cultural forces in the child labour debate: evidence from urban Bangladesh" in the Journal of Development Studies 37.9.

³⁸ Cf. Delap, Emily(2000), "Urban children's work during and after the 1998 floods in Bangladesh: Development Practice "in the Journal of Development Studies,, 10. 667.

because of poverty. In some situations, children's income may not be the most essential for the family upkeep and expenses, but still very necessary for improved school uniform and school, etc. Even among young students, they work to relieve stress of family budgets, buy things for themselves and relieve the parents the pains of doing everything for them. In this situation, where the child's income is most needed and appreciated by the family because he contributes significantly to the income of his family, banning them from labour in this case becomes impossible because by so doing, one may deepen their own poverty as well as that of their families. For Michael Bourdillon therefore "working children in poor communities are commonly better nourished than their non-working peers of similar background."³⁹ Worthy of note is that children value paid employment, especially if it is away from their homes, as a means of having some time outside the family and this is very dangerous. Sometimes this is so because work within the family is more difficult than the work outside. Sometimes they value this work and income for relieving them from dependence on others and control over their lives. Some do this to enjoy the autonomy of a separate income. On important note, income from children also provides access to their health facilities. It is customary in some other cultures for older working children to play a vital role in the support of their younger siblings who are still very small and cannot work at this stage.

1.2.5 How Children Work and the Type of Work they do

Children do certain types of work depending on where they live or the society they found themselves. The work they do vary from one another. According to Michael Bourdillon "the work of pre-teen children everywhere is for the most part specifically conditioned to the facts of their young age, including school attendance. Accordingly, nearly all work done by young children is part time."⁴⁰ This is so because, these children work part time and use the rest of the time to go to school or to help out in their families. Child labour has been given many interpretations by various cultures and nations, thus according to Liebel Manfred in his book 'A Will of their Own: A Cross- Cultural Perspectives on Working Children' that "most cultures think differently about the work of children and that of the adults. One of the most common concerns about working children is that work may deprive children of sufficient chance to play, and we agree that this is too often the case. Play in this scenario is considered

³⁹ Michael Bourdillon (et al.) p.80.

⁴⁰ Ibid., p.2.

to be the opposite of work to compete with it in children's lives. But the distinction between work and play is not always easy to make empirically. Whereas adults speaking of children tend to draw a line between work and play, such as by telling children they cannot play until after their work is done, for children the difference is not always clear and the two may in fact overlap."⁴¹ For example, in Northern Nigeria, children normally take a household animal to the forest to eat. They enjoy this task because sometimes they enjoy riding on the backs of these animals and this is fun for them. On the contrary, some functions are also considered appropriate for the child. Thus "light work in the home for instance, is widely considered appropriate for them. Some tasks may be considered specifically children's work: many southern African pastoral societies, for instance, consider herding and leading cattle to be children's work, and may thus be left to children, even if it means missing school. Some work is assigned to children because it is considered abhorrent to adults. For example, in Urban Bangladesh, collecting firewood is considered children's work in part because scavenging is considered degrading for adults."⁴² Similarly for Bass Loretta, E., in her book "Child Labour in Sub-Saharan Africa", thus, "in some societies, there are constraints on certain adults for which children traditionally compensate. For example, where Muslim women in Africa are sequestered in their homes, their children may send in their stead to collect water and firewood, go to market, carry messages, and run other errands."⁴³ In this case, children's work is seen as often supporting and complementing that of parents. Their freedom is always tempered in this situation. Some crafts are assigned to children on the alleged grounds that it can be performed better by their small and tender hands. This is not an argument, because "an investigation of this 'nimble fingers' argument with respect to children working in India's hand-knotted carpet industry found that children in fact have no special abilities that adults do not match or surpass."⁴⁴ Children may also compete with adults, working at same jobs for less pay and thereby lowering wages and adult employment opportunities. This is also an extreme form of exploitation. For instance, the employment of British children on milk rounds is explicitly aimed at reducing labour costs. There is no argument that supports that there is any job a child has greater advantage over adults. "Children's main advantages to employers,

⁴¹ Liebel, Manfred, *A Will of their Own: A Cross- Cultural Perspectives on Working Children*: London and NewYork: Zed Books; 2004, p.23.

⁴² Delap, Emily, "Economic and Cultural forces in the child labour debate, 2001, p.14.

⁴³ Bass, Loretta, E., *Child Labour in Sub-Saharan Africa*. Boulder and London: Lynne Reiner, 2004, Pp.28-30.

⁴⁴ Levison, Debora (et al.) "Is Child Labour Really Necessary in India's Carpet Industry"? in Anker. R.S. Barge. S. Rajagopal and M.P. Joseph (eds), *Economics of Child Labour in Hazardous Industries of India*. New Delhi: Hindustan Publishing.1998, p.130.

many now think, are more likely to be ignorance or docility, thus making them easier to exploit.”⁴⁵

1.2.6 The Range of Children’s Work

In most societies, the range of children’s work varies. This variation is also as a result of their gender, social and physical environment, often with their social status. According to Hashim Eman in ‘Exploring the Linkages between Children’s Independent Migration and Education: Evidence from Ghana’ said, “in Ghana for example, children might start running errands and doing certain home chores at the age of four or five, taking on other tasks as soon as they are able. By the age of 14, they are expected to do all work adults of their gender do, having gradually engaged in this work over the previous years.”⁴⁶ Similarly, in highland Peru according to Bolin, Inge, “Children start herding domestic animals at age of five.”⁴⁷ These are few examples on the range of children’s work.

1. Paid Work outside the Family

Children in this situation are employed by someone of the family, to do one thing or the other. The work to be done differs in various cultures and nations. What makes this work outside the family dangerous? To this question are many reasons. Many children who are victims of sexual abuse, exploitation, etc are victims of work outside the family. Thus, for Michael Bourdillon “One of the main factors is a popular assumption that work inside the family circle is safer, since the family has more interest in the child’s well-being and development, while outside employers are assumed to be interested only in profit and to have little concern for the children.”⁴⁸ There are also numerous instances where children are self-employed and establish an enterprise or business on their own initiative. Worthy of note is that this does not guarantee their security. Some of them are also exploited in this case. For example, some

⁴⁵ Michael Bourdillon (et al.) p.27.

⁴⁶ Hashim Eman, Working with Working Children: Child Labour and the Barriers to Education in Rural North eastern Ghana D. Phil. Brighton: University of Sussex; 2004, p.58.

⁴⁷ Bolin, Inge, Growing up in a Culture of Respect: Child Rearing in Highland Peru, Austin: University of Texas Press, 2006, p.74.

⁴⁸ Michael Bourdillon, (et al.) p.24.

children selling on the streets, roads, parks etc. are sometimes exploited and harassed sexually.

2. Work within the Family

Productive work within the family setting is often closely connected to reproductive work and the two are normally too hard to be isolated. Much of children's work in developing countries lies more in agriculture or animal husbandry on small-scale family farms. For Punch Samantha, "Children may start accompanying adults and imitating them in simple tasks such as harvesting, and move on to weeding and irrigating, with jobs similar to those of adults in their mid-teens."⁴⁹ They normally continue with the practice in order to get some money to help themselves. In some societies according to Berlan Amanda, "children take on responsible tasks in the care of animals from the age of five. They may be given their own animals to care for and profit from. Agricultural work may be present both as rewards and risks. A big problem with agricultural work is that it can be so extensive as to interfere with schooling, in peak agricultural seasons, for example, or in herding, a task often assigned to boys. Developmental projects that encourage greater agricultural production for the market sometimes result in increased work and less schooling for children. Further problems can arise with hazardous tools and chemicals."⁵⁰ Many children in urban areas also work in family business. Burr Rachel has it in the work "Vietnam's Children in a Changing World" that "many urban children in particular, work in the family business. In Hanoi Vietnam, even young children are assigned simple tasks in small family business."⁵¹ On another note, children sometimes may accompany adults and take an active part in the work outside the family. For Bey Marguerite therefore: "similar to such work in the home, children may accompany adults and contribute to work outside the home. In Mexico, children from poor agricultural areas travel with their families to earn seasonal money when their agricultural season comes to an end. Children remain with their families, learn about the wider world, including how to acquire and to deal with employers and work on light tasks to contribute significantly to their family economy. Although this movement may seriously disrupt their

⁴⁹ Punch Samantha, "Household division of Labour" in *Work, Employment and Society*, Sage Journals, 2001, Vol.15, N.4, p. 811-812.

⁵⁰ Berlan, Amanda, "Child Labour and Cocoa: Whose Voices Prevail?" in *International Journal of Sociology and Social Policy*, 2009, Vol. 29 Issue: 3/4, pp.141-151.

⁵¹ Burr, Rachel, *Vietnam's Children in a Changing World*. New Brunswick: Rutgers University Press, 2006 p.857.

schooling- an enormous problem for children in migrant labour-teachers also have commented that children are often sharper and brighter when they return from such trips and show improved social skills. The wages for all are low and living conditions poor, but the work of children enables the family to earn the substantial amount that they need to meet their obligations at.”⁵² These are some of the instances where children work within the family and their experiences in these situations.

1.3 Regulation of Child Labour

In this case, a definition of the term regulation will be given before applying it to child labour. The term ‘regulation’ eludes every effort of an exact definition, given its various usages in different fields of life. According to Oxford Advanced Learner’s Dictionary, regulation is “a rule or restriction made by the authority....It is the action or process of regulating something”⁵³ This implies the action or process of regulating or being regulated. Therefore, child labour regulation means child labour laws, that are normally enacted by the federal government and aims at regulating when children can work, how long they can work, the working conditions and what jobs they can do. Children hired for non-agricultural employment (which is just about everything other than farm work) must be at least fourteen and more. Other child labor law restrictions regulating the type of positions young workers can hold and the type of work they can do must also be in effect.⁵⁴ Ben White, had this idea of regulation of child labour in his book “Child Labour in the international context” when he said that “domestic work cannot simply be classified as good or bad and neither can most specific situations of child domestic employment. More, it is not useful to classify forms of children’s work as either ‘child labour’ that is bad and be abolished or ‘child work’ that is good and to be allowed. It is more realistic and more helpful to see children’s work as lying on a continuum. At one end are working conditions that are not susceptible to efforts at humanization and improvement, which are so harmful that there is no alternative to removing the children involved and preventing the employment of others in the future, as a matter of

⁵² Bey Marguerite, “The Mexican Child: from work with the family to paid employment in Childhood” in *A Global Journal of Child Research*, Vol.10 No.3, 2003, p. 311.

⁵³ Sally Wehmeier, et al, “Regulation” in *Oxford Advanced Learner’s Dictionary*, 7th Edition, New York: Oxford University Press,2000, p. 983.

⁵⁴ Cf. Alison Doyle, “Child Labor Laws and Regulations” in *the Balance*(Accessed 10th October 2017)

urgency. At the other end, there is work that is so beneficial that should be encouraged. In between, there are kinds of work which in their present conditions are harmful or hazardous, but which also confer benefits and can potentially be made less harmful through efforts from above (regulation) and below (popular pressure) and which potentially can be combined with school or continuing education: there are also kinds of work which are ‘neutral’, that is, neither particularly harmful nor particularly beneficial to children.”⁵⁵ Here the author is saying that works that help for healthy development of the child should be promoted and encouraged. Those in which the child is mostly abused or exploited or abused should be discouraged. Sometimes, it is difficult to differentiate works that are abusive to children because of the circumstances and the situations. Mckechnie et al. supported this view, thus: “For these ‘in between’ categories in particular, there are degrees of both benefit and harm, which have to be balanced against each other.”⁵⁶ In this case, where the greater good is and less evil is, should be considered first and foremost. Therefore according to Michael “rather than prohibiting work, we should seek ways to strengthen the development and educational function of existing work and minimize the possibility of work-related harm. Attention should focus on ensuring that any work that children do is appropriate to their age, gender, and ability, respects their rights particularly the right to education and is suitably rewarded. This requires cooperation between employers and communities as well as governments and organizations.”⁵⁷ He argues further “protection of children from unambiguously harmful work should be a high priority and urgent task for both government and civil society. Among others, it must involve the communities of which children and youth are a part, as well as media, and educational, religious, cultural and other institutions that help set and implement social values. Society needs to be broadly interested in guarding the welfare of its children who work, and that means publicizing and taking action on situations in which children are being seriously harmed in their work, including strong legal action such as through the use of criminal laws and penal sanctions where these are merited. Public interest is necessary because labour inspectors and police cannot do this job alone.”⁵⁸ So, “judgments about what work is harmful need to be justified by well-founded information about the actual risks and

⁵⁵ White Ben “Child Labour in the international context” in McCloskey, S. (ed.), *No Time to Play: Local and Global Perspectives on Child Employment*, Belfast: One World Centre for Northern Ireland, 1997, *Journal of International Development*. 8:829–839.

⁵⁶ Mckechnie, Jim and Sandy Hobbs(eds) “Working Children: Reconsidering the Debates, Report of the International Working Group on Child Labour” in *The International Journal of Children’s Rights*, Vol.7, Amsterdam: Defence for Children International and International Society for the Prevention of Child Abuse and Neglect, 1998, pp.91-98.

⁵⁷ Michael Bourdillon et al., *Rights and Wrongs of Child Work*, p.214.

⁵⁸ *Ibid.*

effects of that work on children rather than reflect unfounded stereotypes and assumptions. The more loosely and widely ‘harmful’ is defined, the less urgent, focused and effective interventions against it become. Implementers of ILO Convention 182 should be aware of this danger and maintain a keen sense of priority, focusing the most effort on the worst conditions and the most endangered children.”⁵⁹ He warned that proper care must be taken before removing a child from work. For Michael Bourdillon further, “before removing any children, particularly disadvantaged children, from work, the harm and benefits should be carefully weighed against each other and against available alternatives, in consultation with the children and the local communities. Before banning any kind of work, the winners and losers from such a ban need to be assessed. In some situations, it surely will be necessary to resort. In such situation, it is the responsibility of intervening parties to ensure that children have viable alternatives beneficial to them. Children should never be removed from their work unless and until better alternatives are immediately available to them.”⁶⁰ This is a great measure according to the author because it will surely bring about a great positive result. Positively he continued that “work should be available to children as an appropriate vehicle for developing skills, attitudes and connections that will enrich their lives and future prospects. Work that consumes their time and energies without protecting them and providing them commensurate value in return is exploitative. As previous chapters have pointed out, most children’s work does not have to be either unsafe or exploitative and can be structured to ensure that it is helpful to them. Many people who set tasks for working children have not thought beneficially for children. Government, educational institutions, the media, child advocacy organizations, religious organizations, and various community-based groups can provide information to parents, employers, and others regarding how to organize and supervise children’s work in such a way as to ensure that children will benefit from it. At the international level, UNICEF, ILO, child defense NGOS, and bilateral assistance programs can be very helpful in making available technical, human and financial resources necessary to backstop a broad educational effort to make work appropriate for children.”⁶¹ Therefore, the government and all organisations in all levels are called up to assist in order to ensure that child is protected and his or her rights as a child are upheld.

On the area of child labour and school attendance according to Michael Bourdillon “we have pointed to various successful approaches to combining schooling and work, not only to

⁵⁹ Ibid.

⁶⁰ Ibid.

⁶¹ Ibid., p.215.

accommodate children's multiple responsibilities, but in many cases even to enrich their developmental opportunities. While school may be a good place to work, work may also be a good place (sometimes the best or only place) to learn. Furthermore, since experience suggests that children will in fact work if they need and want to, regardless of laws, it is more productive to facilitate good work that does not interfere with school than to attempt to restrain children from working. It also should be remembered that many children can remain in school only because their work enables them to pay for necessary school fees and materials. School curricula and teachers need to take this into account and perhaps as now occurs in various rich countries, even assist students in finding appropriate part-time jobs and making part of their school education experience."⁶² Combining school and work is good, but there should be a proper regulation and inspection to avoid neglect, abuses and the exploitations involved. Furthermore, he continued that "placing any particular work on this continuum may not be straightforward, since high levels of benefits do not necessarily correspond to low levels of harm. Dull, poorly paid, part-time work may contain no hazards and limited benefits. Work that has high benefits in terms of pay, status, or experience may be harmful in terms of the time it occupies or hazards involved. A child sport or media star may obtain international prestige and high financial gain, but at considerable disruption to social life."⁶³ However for him continuum and 'balance' models do not solve any problems in themselves, but they can help us think more carefully about what it is that makes different kinds and conditions of work more or less problematic for children and about the possibilities for addressing and overcoming those problems. Is it, for example, the physical nature of the work itself that makes it harmful or dangerous? Or, an aspect of the work relationship which makes it abusive, humiliating or exploitative? Or, on the hand, the indirect harm that comes from what is foregone as a result of work (for example, through long hours that prevents the child's access to education, recreation or social life)? Or, a good combination of any of these?⁶⁴ Adequate measures should be taken to know what to be regulated and the alternative that should be offered in place of this. These alternatives should be measured at the first instance, to know the extent they will go in helping the concerned working children before these strategies should be applied. Worthy of note is that a well detailed presentation of regulation and its application in the Nigerian situation will be handled in the fifth chapter. Subsequently, the church's role in the area of helping to properly apply the regulatory rules

⁶² Ibid.

⁶³ Michael Bourdillon et al., *Rights and Wrongs of Child Work*, p.161.

⁶⁴ Cf. Ibid. p.162.

made by the government will be handled in the sixth chapter as witnessed in Jesus' teaching of love of neighbour.

1.4. Evaluation and Conclusion

Having gone through the different conceptions and understandings of the concepts childhood, child labour and regulation, we have inter-alia established the very fact that there are varied conceptions and understandings of these terms. But, there are certain things that are very common in these varied conceptions namely: childhood is a crucial moment in the life of the human person that adequate care should be taken to make sure that the child is not abused and exploited because of his or her innocence and ignorance. Child labour on the hand violates the rights and dignity of the children involved because it affects their physical and mental developments and therefore must be stopped. Regulation of child labour is therefore a means to regulate the work children do in order to make sure that they are not abused and exploited, their physical and mental development are taken into consideration and that they also enjoy their childhood.

Chapter 2: Child Labour and its Various Forms

2.0 Introduction

The work children do differ from society to society. They are not the same in every society. There are some works that are good for the child. This type of work helps in the basic normal and healthy development of the child and a way by which parents hand over some basic knowledge and working skills to their children. On this Ngozi Ezeilo, a lecturer in the Faculty of Law, Nigeria University Nsukka argued that “this kind of work is beneficial to the child’s physical, mental, spiritual, moral and social development provided it does not interfere with schooling, recreation and rest.”⁶⁵ Going further on this she said that “child labour in contrast is the work done by children under conditions harmful to their health usually for long hours and a very low wages. Such work is destructive and exploitative. Children are not physically suited to long hours of strenuous and monotonous work. They are not usually aware of the dangers; neither do they have enough knowledge of the precautions they should be taking.”⁶⁶ It will be good at this point to see the different forms of child labour and afterwards how child labour is practiced in different continents of the world namely: Europe, Asia, America, Africa, etc.

2.1 Forms of Child Labour

(a)The domestic servant: This form of unregulated child labour is the most practiced in Nigeria. Sometimes, the children are exposed to some heavy works, long working hours, in an environment that is not good for their age and in most cases, with so little or no pay. Ngozi Ezeilo lamenting on this situation said “they are deprived of affection, schooling and leisure. In addition, they are also vulnerable to physical and sexual abuse.”⁶⁷ Mostly children are abused and exploited in this case, both physically and morally.

(b) Street Hawkers: This is another most practiced type of unregulated child labour. Here, the children are used as machines to make money by their users. They are made to carry trays with fruits, food items, cigarette, hot drinks, etc. They move from street to street, house to house, from one motor workshop to another, from one park to another, etc., selling these

⁶⁵ Ngozi Ezeilo, “Child Abuse and Neglect” in A Publication of Women’s Aid Collective, sponsored by Swedish NGO Foundation for Human Rights., Women’s Aid Collective, 2002 p.3.

⁶⁶ Ibid.

⁶⁷ Ibid.

items. Sometimes, these children are still living with their parents or are serving as a domestic house helps to do this kind of work.

(c) Child Street Beggars: Here children are exploited by adults either by their parents or guardians to beg. They do this in the streets, motor parks, house to house, churches, marketplaces, major roads and streets in the country, etc. and often disturbing pedestrians and motorists.

(d) Commercial Sexual Exploitation of Children: This is the most exploitative and hazardous form of unregulated child labour. This is so because of the risks involved, and the devastating effects and consequences on the children involved, such as the greatest risk of infection with sexually transmitted diseases namely: HIV/AIDS, Gonorrhoea, etc. Children are sold and used as sex objects, and they are enticed into prostitution and drug addiction. In some cases, they are sent by their parents and guardians to do so, and they in return will submit the money they made from this act to the people that sent them.

(e) Industrial and Agricultural Child Labour: This is the most common type of unregulated child labour that is practiced in Nigeria. Here, children are employed to work in the fields, farms, etc. for long hours and sometimes under the sun and the rain. Consequently, they suffer some harms and pains and even some diseases.

2.2.1.0 Child Labour in Africa

Child labour in Africa is a well known phenomenon that has raised dust in the recent times. According to Jens Chr. Andvig (et. all) “most child labour in Africa takes place at home. Some labour might be harmful; other types of labour are harmless or skill developing, even skills learned on family farms. Furthermore, the health and the nutritional status of the individual child greatly affect to what degree the same labour is harmful or helpful. We cannot expect to find an easy, operational way to divide child labour into ‘good’ and ‘bad’. This does not preclude that it might be fruitful in empirical work to define criteria that provide informal guidelines that will identify most of the labour activities in the homesteads that are likely to be harmful to the children.”⁶⁸ This implies that most child labour in Africa take place

⁶⁸ Andvig, Jens Chr. et. al., “Issues in Child Labor in Africa” in Human Development Centre, African Region, September 2001, p.4.

at private homes. And in this case, it is very difficult to see the abuses and exploitations involved. Most children are exploited and abused in this case.

Similarly, the International Labour Organization (ILO) has recently estimated that about 246 million children aged 5-17 years are engaged in child labour around the world. About 179 million of these children are involved in worst forms of child labour that are abusive and exploitative. About 2.5 million children are economically active and involved in the developed countries and 48 million in Sub-Saharan Africa and 13.4 million in the Middle East and North Africa. It is rightly observed that most children under 18 years face many hazards as a result of labour. In the developing countries like Africa, an ILO study found average rates of injury and illness per 100 children ranging from a low of 12 percent in agriculture (for boys) to a high of 35 percent (for girls) in the construction sector. From the statistics moreover, Africa has the greatest incidence of children who are economically active and about 41 percent of children in the continent are at work in different sectors. For instance, more than 30 percent of African children between 10 and 14 are involved in agriculture and are agricultural workers. In Rwanda for instance, there are an estimate of about 400,000 children working in different sectors. Of these, about 120,000 are thought to be involved in the worst forms of child labour and 60,000 are child domestic workers that work in private homes. A recent survey by the Ministry of Public Service and Labour in Rwanda has it that about 40 percent of children who are involved in prostitution as child prostitutes in several large cities are mostly children who had lost both of their parents About 94 percent of them lived in extreme abject poverty and 41percent had never been to school consequently.

In Tanzania, about 4,600 children are estimated to be working in small-scale sectors like in mining. And some of them as young as eight years old dig 30 metres underground in mines for eight hours a day, without proper lighting and ventilation. This constantly resulted that they are in high danger of having injury or even death as the case may be.

The government of Kenya on the other hand has recently reported that about 1.9 million children, between the ages of 5-17, are involved in labour and are working children. Only about 3.2 percent of these children have attained a secondary school education and 12.7 percent have no formal educations at all. During the peak coffee picking season in Kenya, it has been estimated that up to 30% of the pickers are children younger than 15years.

According to the Government of Zambia, there are some about 595,000 child workers in Zambia. Of these, 58 percent are 14 years of age or even younger and thus, ineligible for any form of employment under the Employment of Young Persons Act of Zambia.

In Zimbabwe, it has been estimated that as many as 5 million children in between the ages of 5 and 17 are involved in forced labour.

An IPEC survey of children working in small-scale mines in Madagascar showed that more than half (58 percent) were aged 12 or under, only a third had opportunities to learn skills and half of them, came from families that were in a precarious economic situation that resulted in difficult living conditions. Similarly according to this report, some 120,000 children in some parts of Africa under the age of 18 are thought to have been forced into taking up arms as child soldiers, or military porters, messengers, cooks or sex slaves. About 10,000 to 15,000 children from Mali are working on plantations in Côte d'Ivoire. Many of them are victims of child trafficking. It is also estimated that 50,000 children are working as domestics in Morocco. In West Africa of which Nigeria is a part, an estimated 35,000 children are in commercial sexual exploitation.⁶⁹

Following and reasoning along this line of thought, Cathryne L. Schmitz (et. al) said with regard to child labour in South Africa and all other African countries that “the vestiges of forced segregation in South Africa have had a major influence on where and what black South Africans can do for work. It has also controlled the wages they can earn. This oppressive system has contributed to the exploitative labour practices for African children, particularly black South African children. The historical lack of standard wages for adults has meant that the wages generally received at the whim of the employer. Adults frequently could not earn enough money to provide for their families’ most basic needs.”⁷⁰ She writes further that “monthly wages in South Africa were very meagre, and there was no established system of wages. The wages of a tenant family were at the whim of the landowners. Some tenant farming families received in-kind payments of food and sometimes the discarded clothing of their employers at a discounted price. Under these working conditions, tenant farmers rarely

⁶⁹ Cf. International Labour Organization: on the InFocus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work. 1998(Accessed, August 21st, 2014 from www.ilo.org/wcmsp5/groups/.../wcms_decl_fs_37_en.pdf)

⁷⁰ Elizabeth Kim Jin Travor, “South African” in Cathryne L. Schmitz et al, (eds.), *Child Labour: A Global View*, USA: Greenwood Press, 2004, p.146.

Therefore, the earnings of children, regardless of how meagre, were sometimes needed to help sustain a family. Why and what children do for work needs to be understood within the cultural context of South African life, where often all members of the household are responsible for contributing to the overall well-being of the family.

had enough money to pay their taxes or buy the goods needed to sustain their families. As a result, all members of the family, including young children, were expected to contribute their labour in some way for the survival of the family.”⁷¹ These are the major reasons why children work and the reason why it is difficult to stop child labour in this context without workable alternatives as will see as we go further in this topic. It will be good at point to see some reports on child labour in Nigeria.

2.2.1.1 Using Nigeria an Example

The US Department of Labour in its 2012 report claims that Nigeria is witnessing the worst forms of child labour. This is evidenced particularly in agricultural and domestic services. In rural areas, most children work in agriculture and cultivate or harvest products such as cassava, cocoa and tobacco. These children work long hours and at the end, only a little pay to assist their families. The report claims that some children are exposed to pesticides and chemical fertilizers in cocoa and tobacco fields because of archaic or old farming practices or because they are deployed as forced labour without protective measures. Additionally, street children work as porters and scavengers and a growing number of them engage themselves in begging in the streets, motor parks and offices. According to the report, commercial sexual exploitation of children, especially girls occur in some cities in Nigerian, namely: including Port Harcourt, Lagos, etc.⁷²

It is against this backdrop that the International Labour Organisation (convention 182, 1999) on Worst Forms as ratified in (2003) defined child labour as “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; work which, by its nature or the circumstances

⁷¹ Ibid., p.149.

⁷² Cf. US Department of Labour in its 2012 Findings in Nigeria (Accessed 12th November, 2017 from <https://www.dol.gov/ilab/reports/child-labor/findings/.../nigeria.p>).

in which it is carried out, is likely to harm the health, safety or morals of children.”⁷³ Children in Nigeria are engaged in the worst forms of unregulated child labour, particularly in domestic services and dangerous agricultural activities. Although the evidence is limited, but there are reports that children also produce tobacco. Children working in agriculture may step on sharp objects, wound their hands and legs and suffer from insect stings. In particular, children engaged in work on cocoa plantations are exposed to pesticides, apply chemical fertilizers without protective gear, and sometimes work under conditions of forced labour. Children, primarily boys, work in cattle herding and some who are engaged in herding livestock may suffer injuries, such as being beaten, head butted, gored, or trampled by animals. In urban areas, many children work also as domestic servants. Children who are employed as domestic servants are sometimes isolated in private homes and are susceptible to physical and sexual abuses and also are forced to unregulated labor. They are also required to work long hours and perform strenuous tasks without sufficient food, shelter and no one considers what is good and suitable for their age. Both boys and girls engage in street hawking and sometimes, they drop out of school in order to work. Increasing numbers of them also engage in farming and other illicit activities in Nigeria.

Commercial sexual exploitation of children especially girls, also occurs in Nigerian under this situation and in some port cities like Lagos, Calabar, Port Harcourt and some refugee camps in Nigeria. Children also work in mines and quarries, producing gravel and granite. Such work puts children at risk of injury or death from exposure to dust, falling rocks, and carrying heavy loads. Children also break granites into gravels at various sites near Abuja, Okigwe, etc. Children reportedly work in artisanal gold mining, particularly in Zamfara State. Children working in artisanal gold mining are exposed to extremely toxic chemicals, including lead and mercury. Some of them working in mines and quarries do so under conditions of forced labor.

The 2012 Findings on the Worst Forms of Child Labour in Nigeria has it that, in northern Nigeria, many families send their children known as almajiri, from rural to urban areas to live in order to receive a Koranic education from their Islamic teachers. Some of these children receive lessons, but sometimes, their teachers often force them to beg on the streets and

⁷³ International Labour Organisation: Convention on Worst Forms of Child Labour 1999, as ratified in 2003. Cf The International Labour Conference unanimously adopted Convention No. 182, the Convention Concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour (Accessed 20th November, 2017 from www.ilo.org/dyn/normlex/en/f?p...12100:0...ILO...C182).

surrender the money that they collect to them. These children may go without adequate food or aids and some of them are exploited and abused in the process. Although the evidence remains limited, information indicates that some Almajiri in Nigeria may undergo deliberate scarring or injuries to arouse sympathy from people and thereby encourage donations. In December 2010, the Ministerial Committee on Madrasah Education estimated that Nigeria has about 9.5 million Almajiri. Nigeria is a source, transit and destination country for child trafficking. Children in Nigeria are trafficked internally to work in domestic service, agriculture, street peddling, and begging. Children are also trafficked from Nigeria to work in the worst forms of child labour in Equatorial Guinea, Sierra Leone, and Saudi Arabia. There are reports of Nigerian girls being trafficked to Italy for commercial sexual exploitation. Children from Benin, Ghana, and Togo are trafficked to Nigeria, where many are forced to work in granite mines. Some children from the Central African Republic (CAR) are trafficked back and forth between CAR and Nigeria for forced labour and commercial sexual exploitation. Boys from Niger are subjected to force begging and forced labour in Nigeria.⁷⁴ We will see the real and existential situation of child labour as we go proceed in our discussion.

2.2.2 Child Labour in Asia

Child labour is also a well known problem in Asia. According to a recent estimate made by the International Labour Organization (ILO) in Asia, it is observed that about 217.7 million children, between the ages 5 and 17 are engaged in child labour around the world. Of these, about 126.3 million are involved and engaged in the worst forms of child labour. Roughly 122.3 million children between the ages 5 to 14 are economically active in Asia and the Pacific, 49.3 million in Sub-Saharan Africa, 5.7 million in Latin America and the Caribbean and about 13.4 million in other regions. Among working children aged from 5 to 14 in the world, about 69 percent are employed in the agricultural sector, 9 percent are employed in the industrial sector and the remaining 22 percent are employed in the services sector.

Asia has about 122.3 million children aged 5 to 14 who are economically active and the Pacific region has the highest number of working children worldwide. Child labour in its worst form are great problem in this area, namely: child trafficking, commercial sexual

⁷⁴ Cf. US Department of Labour in its 2012 Findings in Nigeria.

exploitation, bonded child labour, child domestic work, hazardous child labour and the recruitment and use of children in armed conflict or drug trafficking. A high tolerance for child labour in many countries and political volatility and conflict in certain others (e.g. Afghanistan, Nepal, Indonesia and Sri Lanka) exacerbate the problem and can hinder the implementation of action against it. In addition, a large number of children in areas affected by the tsunami in Thailand, Indonesia, Sri Lanka and India are vulnerable to entering child labour and are the major cause.

Results from the Bangladesh National Child Labour Survey (IPEC-SIMPOC, 2002-03) indicate that about 3.4 million of males, ages 5-14, are engaged in labour. About 1.3 million of females, of the same age group are engaged in labour resulting in 4.7 million of all children, ages 5-14 are working. In Cambodia, Child Labour Survey (IPEC-SIMPOC, 2001) estimated that there are about 1,516,363 children aged 5-14, who can be considered working children, about 44.8 percent of children in this age group. More boys than girls in the age 5-17 years old are working children. The total economically active child population between 5 and 17 years by current activity status was estimated to be about 68580 during 2002-03 in Mongolia. The overall child work rate is 10.1 percent. For the child population of aged 5-14 years, the child work ratio is 7.2 percent but is considerably higher for the age group 15-17 years at 18.5 percent. Among the 40 million children aged 5-14 years in Pakistan, about 3.3 million, i.e. 8.3 percent, were economically active in 1996. Results from the Philippines Child Labour Survey (IPEC-SIMPOC, 2001) indicate that about 1.4 million of males, ages 5-14 are engaged in work and about 0.8 million of females of the same age group are engaged in work resulting in 2.2 million or 11.0 percent of all children, ages 5-14 working. In Sri Lanka, the Child Activity Survey of 1999 estimates that out of 4,344,770 children in the age group 5 - 17 years in Sri Lanka, 926,038 (21 percent) are engaged in some form of economic activity. The proportion of children who are engaged either in housekeeping activities or in education in addition to the economic activity is about 25 percent. The proportion of children engaged only in economic activities is 7.5 percent. The corresponding percentage for males is 9.4 percent and for females it is 4.2 percent. Out of all working children residing in the urban sector, 14.0 percent are engaged only in economic activities whereas the corresponding proportion in the rural sector is 7.1 percent.⁷⁵

⁷⁵ Cf. International Labour Organization: on Declaration on Fundamental Principles and Rights at Work Asia (Accessed, July 1, 2014 from www.ilo.org/wcmsp5/groups/.../---asia/---ro.../wcms_099511.pdf)

Similarly, in explaining about the situation of child labour in India, Cathryne L. Schmitz (et. al) says that child labour is a grave and extensive problem in India. Children under the age of fourteen are forced to work in hazardous situations such as in industries that produce glass-blowing and fireworks. Under-aged children have commonly been found in carpet-making factories. Factory owners find children attractive employees; they work for wages far below what adults would work for. They are not trained to labour under hazardous and unhygienic conditions. Many of the children working in factories are migrant workers from Northern India, earning money that their families depend upon for their needs. The situation of children working in bonded labour in India is devastating and exploitative. Most children work for a week with barely a break for meals. Children who are victims of this situation of bonded labour often grow up to maturity physically exhausted and sometimes terminally ill or deformed.⁷⁶

2.2.3 Child Labour in Latin America and the Caribbean

Just like other countries and continents of the world as we have seen, child labour is experienced in its devastating conditions and effects in these areas. The International Labour Organization has estimated that about 217.7 million children ages 5 to 17 are engaged in child labour around the world. Of these, about 126.3 million are working under hazardous conditions. Among working children ages 5 to 14 around the world, about 69 percent are employed in the agricultural sector, while 9 percent are employed in the industrial sector and the remaining 22 percent are employed in the services sector. Asia and the Pacific is the region of the world with the largest amount of working children with 122.3 million of child workers, followed by Sub-Saharan Africa with 49.3 million, a group of heterogeneous regions consisting of developed countries, transition economies and the Middle. Even though Asia and the Pacific are the regions of the world that concentrates the biggest quantity of working children ages 5 to 14. For the same age group, Sub-Saharan Africa has the largest working ratio of the world, with 26 working children out of every 100. The working ratio for Latin America and Caribbean is approximately five children out of every 100.

⁷⁶ Cf. Elizabeth Kim Jin Traver, "Child Labour in Brazil" in *Child Labour: A Global View*, Cathryne Schmitz et. al., (eds.), London: Greenwood Press, 2004, p.104(This is a different collection of articles about child labour in Africa)

In Brazil for example, there are more than 2.2 million child workers ages 5 to 14 (approximately 6.8 percent of total children) There are important gender differences when one contrasts the work of male children versus female children. While boys (63.6 percent) are more likely to work in agriculture, girls (43 percent) tend to be concentrated in the services sector. In several Latin American countries, the performance of household activities consume a vital share of the children's time, especially the female ones. The intensive performance of household activities can interfere with school and recreational time of children in the same manner than work does. In Nicaragua for example, about 92.9 percent of total children (5-14 years old) are involved in household activities. Numbers are also available for other LAC like Honduras (79.8 percent), Colombia (72.1 percent), Belize (68.2 percent), Panama (65.2 percent) and El Salvador (62.3 percent). The majority of the Latin American working children, ages 5 to 14 are concentrated in the Agricultural sector, followed by the Services sector. Other instances are many.⁷⁷ Similarly, according to Cathryne L. Schmitz (et. all), while explaining the issue of child labour in Brazil writes that in rural areas, many children are forced to work with their parents in cane fields, cutting hemp, or feeding wood into charcoal ovens. Family survival requires children's work. However, accidents and unhealthy working conditions are common. Other industries where child labour is used include leather processing, gold, and tin mining, distilleries, plastics, handicrafts, electronics, and on tea plantations. Brazil struggles with all the worst forms of child labour: child slavery, child trafficking, child prostitution and pornography, child crime, child domestic servants, and other hazardous forms. Of these forms, Brazil has one of the worst child prostitution problems in the world and it is a favoured destination for pedophile sex tourists from Europe and the U.S."⁷⁸ The abuses involved in these places are many and the experiences in terms of the abuses and the exploitations are the same everywhere. Other instances are many.

2.3.0 The Summary of the Concept of Work and Child Labour by the International Labour Organisation (ILO) and Terre des Hommes

There has been a great debate in the recent times with regard to child labour. This is as a result of the many abuses and exploitations involved. This debate has attracted the attentions of many international bodies like: ILO, Terre des Hommes, Unicef, etc. There have been also

⁷⁷ Cf. International Labour Organization: on Child Labour in Latin America and the Caribbean. (Accessed 1st July 2014 from www.ilo.org/wcmsp5/groups/.../---ro.../wcms_099511.pdf)

⁷⁸ Cathryne L. Schmitz et. al. (Eds.) Child Labour: A Global View, p.29.

many organisations that are interested in the affairs of children especially the working ones. They are really working hard to restore the rights and dignity of these children of the children involved. Terre des Hommes is one of such organisations that have the interest of children at heart. Little wonder this has also been a great debate in the field of globalisation, thus “In debates about globalisation child labour is often cited as evidence. Critics argue that financial crises and structural adjustment programmes, privatisation of public services and deregulation lead to poverty and therefore to more child labour. Supporters claim that globalisation leads to economic growth and this in turn reduces poverty and child labour.”⁷⁹ Poverty is the root and major cause of child labour globally as evidenced from the above citation and it has really attracted a global attention and calls for urgent attention.

Reasoning further along this line of thought, Terre des Hommes goes on to argue that “child labour is a complex phenomenon: poverty is one cause, which is linked in many ways to cultural, socio-political and economic phenomena. Terre des Hommes is convinced that neither poverty nor exploitative labour conditions will disappear just because of economic growth. Child labour may even increase when the economy of a certain region prospers: for example, this often occurs when newly established textile industries are looking for many cheap and willing workers. In many regions with a booming economy, it can be observed that child labour only starts decreasing when governments declare their political will and take socio-political measures. This helped to reduce child labour in the south-east Asian particularly by the policies of implementing compulsory education, increasing the number of obligatory school years and improving the educational system.”⁸⁰ This strategy of increasing the number of obligatory school years and improving the educational system cannot solve all the problems. There is more to this. The problems and the situations that led the child into labour must first of all be looked into and taken care of before the issue of improvement in the educational sector works. Two of these go together but the situations that led the child into work must be solved in the first instance.

⁷⁹ Terre des Hommes: Hilfe für Kinder. Child Labour: Stop Exploitation, p.1.(Accessed 10th May, 2016 from <https://www.tdh.de/fileadmin/user.../04.../English.pdf>)

⁸⁰ Ibid.

2.3.1 The Summary of the Concept of Work and Child labour by the International Labour Organisation (ILO)

The ILO was founded in the wake of a destructive war in 1919, to pursue a vision based on the premise that universal, lasting peace can be established only if it is based on social justice. The ILO became the first specialized agency of the UN in 1946. The International Labour Organization (ILO) is devoted to promoting social justice and internationally recognized human and labour rights, pursuing its founding mission that social justice is essential to universal and lasting peace. Similarly, it is observed that “one of the major aims set for the International Labour Organization (ILO) at its foundation in 1919 was the abolition of child labour. Historically, the ILO’s principal tool in pursuing the goal of effective abolition of child labour has been the adoption and supervision of labour standards that embody the concept of a minimum age for admission to employment or work. Furthermore, from 1919 onwards the principle that minimum age standards should be linked to schooling has been part of the ILO’s tradition in standard setting in this area. Convention No. 138 provides that the minimum age for admission to employment shall not be less than the age of completion of compulsory schooling.”⁸¹ ILO has as on her primary and major objective at the time of her establishment of abolishing child labour and also supervising the labour standards.

Furthermore, it is rightly stated that the ILO’s adoption of Convention No. 182 in 1999 consolidated the global consensus on child labour elimination. It provided much-needed focus without abandoning the expected goal, expressed in Convention No. 138 of the effective abolition of child labour. Moreover, the concept of the worst forms helps set priorities and can also be used as an entry point in tackling the mainstream child labour problem. The concept also helps to direct attention to the impact of work on children, as well as the work they perform or do. Child labour that is enshrined under international law falls into three categories, namely:

- a. The unconditional worst forms of child labour, which are technically and internationally defined as slavery, trafficking, debt bondage and other forms of forced

⁸¹ International Labour Organisation: World Day against Child Labour, June 12, 2013.(Accessed 20th May2016 from www.un.org/en/events/childlabourday/background.shtml)

labour, forced recruitment of children for use in armed conflict, prostitution and pornography, and illicit activities.

- b. Labour performed by a child who is under the minimum age specified for that kind of work (as defined by national legislation, in accordance with accepted international standards), and that is thus likely to impede and retard the child's education and full development.
- c. Labour that jeopardizes and affects the physical, mental or moral well-being of a child, either because of its nature or because of the conditions in which it is carried out.⁸²

Worthy of note is that “child labour is a violation of fundamental human rights and has been shown to hinder children's development, potentially leading to lifelong physical or psychological damage. Evidence points to a strong link between household poverty and child labour, and child labour perpetuates poverty across generations by keeping children of the poor out of school and limiting their prospects for upward social mobility. This lowering of human capital has been linked to slow economic growth and social development. A recent ILO study has shown that eliminating child labour in transition and developing economies could generate economic benefits nearly seven times greater than the costs, mostly associated with investment in better schooling and social services. ILO standards on child labour are primary international legal tools for fighting this problem.”⁸³ The contributions and impacts of the International Labour Organisation will be used throughout this work. It will come into use at various points and stages where it is needed. Therefore, this serves as a working source material for this work as mentioned in the introductory part of the whole work.

2.3.2.0 The Summary of the Concept of Work and Child Labour According to *terre des Hommes*

Work is a concept that is general to every culture, society and traditions, but sometimes the conceptions differ. Children work generally in the world but what they do differs according to cultures, societies and traditions. According to this document “Child work is not per se

⁸² Cf. Background Information on Child Labour - World Day Against Child ... (Accessed September 13, 2016 from www.un.org/en/.../childlabourday/background.shtm.)

⁸³ Ibid.

exploitative. Girls and boys support their parents and at home they learn the basic skills of house-keeping; by helping out in their parents' business they learn different mechanical skills or farming techniques. Assisting and working helps to impart important social values, e.g. cooperation and community commitment. Work can be a means for self-realisation and can satisfy material and social needs. When children are involved in housework and farming, according to their age and abilities, they obtain self-esteem and learn to be productive for society."⁸⁴ Therefore, the understanding of work and the children's involvement in work is clear according to this definition and explanations. Child labour can be positive and negative depending on the nature of work and the atmosphere of work.

2.3.2.1 Children's dignity and rights and its violation through child labour

Exploitation and abuses through work is a phenomenon that is experienced on daily basis by children and adults all over the world, especially in the third world countries. Exploitations and consequently abuses can be summarised in these forms: "the employment of children for the sake of higher profit, extremely long hours, dangerous and unhealthy places of work, certain jobs and terms of employment. Even if there is no real employer, for example in self-organised work in the informal sector, this can be exploitative when the children's rights and dignity are violated."⁸⁵ Going further on the same lines of thought, the International Labour Organisation estimates that "317 million children are economically and 317 million children are economically active today. 126 million of these children are subject to exploitation. 5.7 million children are subjected to debt slavery. 22,000 girls and boys die in accidents on the job every year."⁸⁶ The same document *Terre des Hommes* considers this definition by the International Labour Organisation plausible and interesting and goes on to say that, in some countries, it estimates the number of exploited children as considerably higher. For example, based on its census, India reports the number of child workers at approximately 11 million.⁸⁷ Worthy of note is that exploitation of children exists in all sectors of the economy and in all levels. Most children work in the informal sector, where work is self-organised and where there are no bargaining parties or state regulation and supervision (industrial or labour

⁸⁴ *Terre des Hommes*, p.1.

⁸⁵ International Labour Organisation (ILO): *The End of Child Labour: Within Reach: Global Report under the Follow-up to the ILO Report on Fundamental Principles and Rights at Work, 2006* (Accessed 13th August, 2016 from www.ilo.org/public/english/standards/relm/ilc/ilc95/pdf/rep-i-b.pdf)

⁸⁶ *Ibid*

⁸⁷ *Terre des Hommes*, p.2

inspection), no contracts or social benefits. In many countries the informal sector guarantees the survival of much of the population. Similarly, according to the document “on the debate about ban on child labour, it is said that laws such as the ban on child labour also apply to the informal sector. Even if the informal sector is unregulated and partly illegal, e.g. with respect to the non-payment of taxes, it must be clearly differentiated from illegal deals and criminal activities like drug growing and trafficking, people trafficking and smuggling, child prostitution and the production of child pornography, weapons smuggling or piracy.”⁸⁸ In this situation and on this regard therefore, regulation of child labour is the best option.

2.3.2.2 Child labour as a complex phenomenon

No society, no culture, no society on earth is free of child labour and consequently abuses and exploitations involved. But the levels of exploitations and abuses differ from society to society, culture to culture. Children are being exploited in the traditional as well as in the modern societies, in secular and religious states, in democracies, monarchies and dictatorships, etc. In the experience of Terre des Hommes, it is stated that the more deprived a child is and the more deprived the population group in which the child belongs and it implies also the greater the risk that he or she will be exploited and abused. Child labour has social, economic, political and cultural roots, which are interlinked in various ways. Material poverty therefore is one of the causes of child labour. However, child labour is also a cause of poverty. It causes both individual and social poverty: those who toil from an early age in life and therefore cannot attend school. As a result, they will have to spend their lives as day labourers. The term poverty includes political and economic decisions on all levels that also cause child labour, namely:

- Governments neglect educational systems and policies. There are no primary schools that are close-by in the rural areas. Schools are poorly equipped and some are not equipped at all. There are too few teachers or they are poorly trained, unskilled and most times underpaid. School fees or expenses for books and uniforms are not affordable for poor families.
- Unawareness of their rights and the duties or services of the state to them led the people at the mercy of being exploited. The victims sometimes put up with their situation without complaint to any competent authority.

⁸⁸ Ibid.

- Health systems are inadequate and not accessible for large parts of the population. Some of them are poorly equipped and are below standard and can be called death traps. Those who fall ill have to borrow money with high interest rate in order to pay for treatment. Subsequently the whole family has to work their life time in order to repay loans.
- Pandemics, particularly HIV/AIDS and other diseases are spreading fast. The parent generation falls ill and dies. The children are left as orphans. Public or private aids do not exist or are insufficient. Children have to fend for themselves or are cared for, by the members of the extended family and sometimes exploited and abused as unpaid domestic labourers.
- Public authorities and the police are weak: they have neither the legal basis nor the personnel and funds to take action against child labour. Sometimes they themselves are corrupt.
- Public authorities and police are corrupt: they deliberately look away and do not prosecute offenders that exploit children or they even participate actively by taking bribes from them as evidenced in rural areas of most developing countries.
- Impoverishment, the drift to the cities or migrant labour may follow from various processes: world market prices for agricultural goods fall; prices for staple foods rise; inflation destroys spending power; prices decline on domestic markets; seeds or pesticides get more expensive; knowledge about organic farming and the biodiversity is lost. All of these lead to exploitative and abusive labour conditions for children.

Similarly according to the document, one sector that often causes child labour is mining (gold, ores, minerals) On the one hand, people are displaced in many regions in order to allow companies to mine raw materials there. These families lose their livelihoods and often the whole infrastructure of a region is destroyed. On the other hand, the work of digging is paid on the basis of raw material dug per day and this is a very strenuous task. If families want to get an income that at least secures their survival they have to make the children work too. In regions in which large companies pull out of mining and there are too few other opportunities to earn a living, adults and children take over the mine, extracting and processing the remaining mineral resources themselves. This implies a lot of hard work.

- Employers hire children, both in the informal and the formal sector because then they can pay even lower wages, children are not unionised, and they are easy and cheaper to hire

without conditions and can be fired at any time. Employers sometimes justify the hiring of children as necessary for their own survival.

- Women and girls are seen as inferior and are discriminated against. So parents see no reason in girls attending school and from an early age girls are considered workers without rights or a say. This is still experienced in developing countries of the world.
- In almost all societies, some groups are seen as inferior and so they are denied of their fundamental rights. Children from such groups are especially vulnerable to exploitation. These groups are sometimes the minority in the society, but sometimes the majority. This applies, for example, to children from poor families, children of refugee families, migrant children, and children from indigenous peoples, and ethnic or religious groups. Children from these groups are often not even registered. For the government, they do not exist and do not have any access to public aid or protection. In regions where the government itself prosecutes or discriminates against certain groups, children are particularly exposed to any and every form of violence, abuses and exploitation.
- There are criminal gangs and organised crime traffics in children and they exploit them in every conceivable way.
- War and violent conflicts destroy regions, brutalise societies and destroy the social fabric. Families and communities disband, infrastructure is destroyed and people are displaced in this case. Children must have to work in order to survive. The military and armed groups recruit children as soldiers, exploit them and make them do forced labour.⁸⁹ They are even used as security agents in developing countries.

Child labour therefore, is a general phenomenon but it occurs mostly in third world countries of the world. Sometimes, it is difficult to distinguish between child labour from child work. The two are so closely related that the distinction is not very clear. But the next point will help to make a clearer distinction.

2.3.2.3 Things that make work really exploitative and infringes children's right

The United Nation's Convention on the Rights of the Child forms the basis and major source of this document Terre des Hommes' work. Child labour violates the right of the child to be

⁸⁹ Cf. Terre des Hommes, p.4.

protected from economic exploitation (article 32). According to this document, “Child labour also violates other child rights. These violations of child rights precede child labour or are a direct consequence. In particular can be mentioned: • right to life, article 6, • protection against discrimination, article 2, • the right to express views freely in all matters affecting the child, article 12, • protection from all forms of physical or mental violence, injury, abuse or neglect, article 19, • the right to enjoy the highest attainable standard of health, article 24, • the right to education, article 28 , • the right to participate fully in cultural and artistic life, article 31, • the right to measures to prevent the abduction of, the sale of or traffic in children, article 35.”⁹⁰ These child right laws articulate the basic rights and needs of the child. The applications of these laws are necessary to achieve this particular motive. These laws when followed strictly will surely protect the rights and dignity of the child and give room for a better future for the child.

2.3.2.4 Minimum Age according to Convention 138

According to Terre des Hommes, ILO adopted the Minimum Age (Industry) Convention 138 in 1973. The Convention states that governments normally establish by the law, the minimum age from which young people are allowed to work. The ratifying states undertake to pursue a national policy designed to ensure the effective abolition of child labour and to raise progressively the minimum age for admission to employment or work. The minimum age for work shall not be less than the age of completion of compulsory schooling and, in any case, shall not be less than 15 years. This implies a reasonable age. The Convention provides that states whose economy or educational facilities is insufficiently structured and developed may, after consultation with ILO, initially specify a minimum age of 14 years of age. For work that is likely to jeopardise the health, safety and morals, Convention 138 stipulates a minimum age of 18 years. It permits work from the age of 13 years, if it is not likely to be harmful for their health and development and does not prejudice their attendance at school.⁹¹ The stipulations of this convention when applied will surely improve the conditions of children, especially the working children.

⁹⁰ Ibid., p.5.

⁹¹ Cf. Ibid.

2.3.2.5 Worst Forms of Child Labour according to Convention 182

Terre des Hommes also sees Convention 138 as linked with Convention 182 and works for the right of children to education and protection from economic exploitation. Thus, ILO convention 182 from 1999 defines worst forms of child labour as:

- a) All forms of slavery or practices similar to slavery, such as the sale and trafficking of children in all forms, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflicts.
- b) The use of children for some atrocious activities or offering of a child for prostitution, for the production of pornography or for pornographic performances and activities.
- c) The use of children for illicit and illegal activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties and laws.
- d) Work which by its nature or the circumstances in which it is carried out is likely to harm the healthy, mental, social, safety or moral development of children.⁹²

According to this document further, Terre des Hommes welcomes Worst Forms of Child Labour Convention 182, because the fact that the convention has the interest of children at heart and has tried on how to improve their conditions. Little wonder for the first time according to the document, “Convention 182 established an internationally binding and differentiated term of child labour that not only defines general age limits but allows a distinction between child work and child labour. Within the international movement of working children there are varying opinions and assessments of ILO Convention 182. Some groups do not want slavery, prostitution or child trafficking to be recognised as work.”⁹³ Going further in Terre des Hommes’ opinion, when it comes to the issue of realising child rights, it may be very beneficial to apply instruments that are normally used for the implementation of labour legislation in order to combat criminal and illegal practices. The organisation of bonded labourers, for instance, is an important instrument in fighting slavery which without doubt, is criminal and illegal. To understand child prostitution or drug trafficking just from the perspective of crime would in practice mean, abstaining from other useful and necessary measures. One reason for the reservations of some movements of working children against the ILO convention is that they have the feeling of being put down,

⁹² Cf. Ibid.

⁹³ Terre des Hommes, p.5.

yet again, and placed on the same level as criminals. Working children do not want themselves or their work to be marked as illegal or bad. It is a child's right and a precondition for any form of policy, to respect the dignity of a child. This also applies to children who are exploited and abused as prostitutes or child soldiers, as slaves or drug addicts and runners.⁹⁴ The provisions of this document will bring in child rights principles and strategies that will help to realise the basic needs of children.

2.3.2.6 The focus must be on the well-being and rights of children

All actions and activities to combat child labour must focus on the rights and well-being of each individual child. The document argues further that "Child rights are indivisible, as are human rights. A policy that only bans child labour from the public eye is directed against the interests of children. When working children are forced into illegality, they are subject to any form of exploitation and at the mercy of arbitrary treatment by public and private bodies."⁹⁵ Sometimes, child labour laws must be followed to the letters because it is not enough to make laws, but to put these laws into practice is normally the problem. Going further, Terre des Hommes opposes commercial sexual exploitation of children, child trafficking and the recruitment of children as soldiers with specially developed strategies and focal issues. Therefore, every strategy in this regard must be for the well being of children. Their rights must be respected and uphold. All efforts must be made to check mate the activities that exploit and abuse the children involved. Regulating the activities of children is of utmost importance, because sometimes they are not even aware that they are being exploited.⁹⁶ Regulation of child labour in this sense therefore is the best option and can help so much to go a long way, to restore the dignity and rights of the child.

2.3.2.7 Humane alternatives to child labour are necessary in order to enable children to lead a life in dignity

This is a very important aspect of this document. It welcomes the fact that alternatives that do not infringe on the rights and dignity of children should be uphold. Thus "Every measure that

⁹⁴ Cf. Ibid.

⁹⁵ Ibid.

⁹⁶ Ibid.

does not offer alternatives for children has a terrible impact on them: the ban on child labour without any effort to establish sustainable alternatives for children and their families cause the opposite of the declared aim. In the early 1990s some US senators' threat of boycotting textiles produced by children in Bangladesh led to the dismissal of thousands of children. These children, mainly girls, ended up on the street, many in prostitution."⁹⁷ This implies that removing a child from work is not the problem but where to put him or her after removal from work. Therefore, these alternatives should articulate these issues. These humane alternatives must be examined and scrutinized in order to insure that they will achieve the goals that they intend to pursue. Worthy of note is that it must be put into consideration that societies differ from one another. Therefore the method and the mode of application of these alternatives will surely differ from one another. The important thing in this aspect is that these alternatives will surely achieve a huge success. Worthy of note is that "similar effects can occur when implementing company codes of conduct: if children are laid off and do not have access to school or vocational training, the companies boast of having no child labour in their value chain, while the children just start to toil in other companies."⁹⁸

2.3.2.8 Terre des Hommes on the empowerment of working children and the abolition of child labour

Terre des Hommes encourages and also works for the abolition of child labour, and sustainable and effective alternatives for working children and their families. This body has worked serious to improve the conditions of children. According to Terre des Hommes, these alternatives must be spelled and detailed out out in order to achieve and realise this very important objective. In projects and other related issues, there has to be assurance to a greater extent that children are really offered alternatives so that the problem does not just shift elsewhere and younger siblings or children from other population groups have to take on the work. These alternatives must be explained to these children in order to know the reasons for such action. These alternatives must really take care of the situations that led the children into labour in where they are normally abused and exploited.

- Terre des Hommes sees to it that in every project girls have the same educational opportunities and the same access to education as boys, as opposed to the mentality of some

⁹⁷ Ibid.

⁹⁸ Ibid.

of the developing countries. Terre des Hommes also initiates lobbying and lofty activities and awareness raising campaigns for the empowerment of women and girls.

- Terre des Hommes promotes and supports the self-organisation of working children and adolescents in order to make them understand and advocate for their rights and also dignity.

- Terre des Hommes promotes and supports the organisation of adolescents and adults in order to establish humane work for all. Specific measures are, for example, income-generating programmes and the establishment of cooperatives, access to micro-credit and technical training, organisation of parents or support from labour unions in fighting for humane working conditions and decent wages.⁹⁹

The above principles go a long way to initiate a better plan and a better strategy on how to regulate the conditions and situations of working children and make them more useful to themselves and not to be abused and ruined through work. Girls in this regard will have more and equal educational opportunities which will enable them to be more productive and effective in the future. This is very important because girls and women in general in many societies and traditions do not have equal educational opportunities and also the same social status like boys and men in most third world countries.

Similarly, one essential instrument in the struggle against child labour and for the empowerment of children is education. Education therefore is indispensable in the lives of children. Little wonder the right to education is a fundamental right of the child. The right to education is enshrined in the UN Convention on the Rights of the Child. Providing basic education for all children in the world is one of the Millennium Goals to be achieved by 2015. According to UNESCO's global monitoring report as described by Terre des Hommes, 75 million girls and boys cannot even attend primary school at present. These children are potential child workers and labourers. Girls in rural areas are severely disadvantaged. The school systems of many countries are permanently under-financed. About 1.6 million teachers should be employed in sub-Saharan Africa alone in order to enable primary education for all children by 2015/6. Going further on this line of thought, Terre des Hommes' experience shows that achieving compulsory education for all children and improving the public schools system immediately will help to end of child labour. Also, making education for children compulsory both in the informal sector and informal sector is encouraged.

⁹⁹ Cf. Ibid.

- Terre des Hommes supports for example informal education centres, bridge schools and evening schools in order to integrate working children into the public educational system. Terre des Hommes supports the public educational system with pilot projects, such as the development of curricula appropriate for children or training courses for teachers. Terre des Hommes lobbies against the use of corporal punishment as a means of education and for better training for teachers, appropriate class rooms and a sufficient public budget for basic education.

- Vocational training for young people has to reflect the trades and professions sought-after in the respective region and also must be based on the needs of the children and young people and seek to develop of their abilities. Accordingly, vocational training also includes general education, the teaching of basic skills like reading, writing and arithmetic and information about child rights. Teaching methods must be appropriate to the age of the young students. Terre des Hommes supports workshop schools that take into account the working hours of child workers. Here older children and adolescents can learn basic skills and also improve their technical skills or marketing of their products. Working children are able to explore new courses of action, organise themselves and to stand up for their rights together.

All these strategies led down by Terre des Hommes more especially with regard to the new strategy in education will surely help to regulate child labour and help the children to be well equipped for the future. These strategies aim at helping the children especially the working children to be integrated once more into school system thereby making their future a better one. It will help them also to stand their ground and rise up to their responsibilities in the future.¹⁰⁰

2.3.2.9 Collaboration in order to realise child rights and dignity

Terre des Hommes hopes for the collaboration of those involved who, by reason of their function or personal situation, work to improve the situation and conditions of children. Thus, at the regional, national and international level, Terre des Hommes therefore approaches persons and institutions that could contribute to the abolition of child labour and empowerment of children. Important factors are schools and educational institutions, teachers and their organisations, the police and local and public institutions. Unions, youth

¹⁰⁰ Cf. Ibid.

organisations, churches and religious leaders will play an important role here and will stand great allies that will check mate this situation. Sometimes, creating a law is not a problem but the application of these laws to be effective is the issue. Many countries have interesting child labour laws. But the applications of these laws are the ultimate problems. It will be good at this point to say that there is need also to regulate the activities of the people who are responsible for the application of these laws. Social movements and citizens' initiatives play an important role in empowering children and in the fight against child labour, because they work at grass-root level. They know the situation in their region very well and campaign for children and their rights. Movements of working children or initiatives against child labour and working children ensure that children and adolescents know their rights and raise their voices. They publicise abuses and exploitation which is often invisible and help to get a hearing for children and adolescents. They are advocates for child rights and develop sustainable alternatives for children and their families.

Terre des Hommes supports such movements and engages in awareness raising and mobilisation in order to induce organisations and actors to encourage the issue of child labour. For example, it is very important for women's or microcredit groups to set themselves the goal that women and their families can survive without child labour and so the children can attend school. Terre des Hommes supports groups with advice and training, so that they can organise their work in the informal sector more productively and profitably and clearly improve their working conditions. Unions and workers' representative bodies at a regional, national and international level support and lobby for decent working conditions and appropriate wages for adults and thereby also for families being able to live without child labour. For the local trade unions, the issue of child labour is often a challenge. This implies that working children are often seen either as the cause of wage-dumping or they are not taken seriously as workers. Labour unions and their umbrella organisations are important allies. Terre des Hommes can connect with many activities, e.g. the international framework agreements on social standards with multinational enterprises. The government should help to regulate child labour by providing good working environment for the parents. This includes: good salary, empowerment of poor families or parents, good health insurance scheme, good infrastructures and super structures in rural area, etc. ¹⁰¹

¹⁰¹ Cf. Ibid.

Therefore, government should inspect these bodies and structures that employ children for cheap labour in order to make sure that there are no abuses and exploitations involved. Parents are also entitled to good salary and wages that will enable them to take good care of their families in order to help to stop child labour. Little wonder Terre des Hommes opined that “Companies, employers and their organisations are important contacts on a regional, national and international level: initially, when they profit by child labour, they are opponents. When they become allies in the fight against child labour, however, they can exert great influence. Employers have to abide by the law of their country, which also includes the ban on child labour irrespective of the size of the business. Each employer who at least abides by the core labour standards and who pays at least minimum wages or even better, decent wages contributes to the reduction of child labour: people working in such an enterprise can afford to enrol their children in school. When employers themselves are among the poor they can be empowered with the help of counselling and training with the objective of just employing adults. Often such processes are linked to increasing productivity or improved access to markets.”¹⁰² There should be a proper regulation of these bodies. It will surely help to check mate this menace.

Similarly, Commercial enterprises that buy, sell goods and make profits that are produced by as a result of child labour should be regulated. They should try to get information on these products and actively make sure that, core labour standards are observed in their value chain. They could become allies in the fight against child labour. Monitoring and compliance with the standards is implemented to a greater or lesser degree of effectiveness. When companies source from countries with a high number of child labourers, there is always a risk of suppliers employing children.¹⁰³ Terre des Hommes calls upon “trading companies to implement the ban on child labour in their value chains and to enable children to go to school or take vocational training. If the companies go further and work to improve public school facilities or establish vocational training programmes, that is an important social policy commitment. Terre des Hommes calls upon consumers to find out about the situation of working children and to buy fair trade products or products with a respected social label. Consumers can approach commercial enterprises and make clear that decent production conditions and the abolition of child labour are of great importance. Large-scale consumers

¹⁰² Ibid., p.10.

¹⁰³ Ibid., p.11.

play a special role here, because of their buying power, e.g. churches, associations or major enterprises.”¹⁰⁴

2.3.5.10 Social, political and economic demands

Combating child labour must focus on the well-being and rights of each and every child. Humane work for all is necessary so that children and adults can enjoy a life in dignity. Banning child labour must not mean that children are pushed into illegality and have to suffer even worse working conditions; nor should they have to fear additional repression or punishment. On the same note, child trafficking and using children for illegal activities must be prohibited by law and those involved must be prosecuted by law. Employers in the formal and informal sectors are not allowed to exploit children in any form and must keep to the laws and regulations with regard to child rights. In particular, they must pay adult workers at least minimum wages and even better, a living wage that will take care of their needs. They must grant at least fundamental labour rights and keep to the fundamental regulations of industrial health measures and safety schemes. Governments therefore must invest in the educational sector and see to it that all children receive at least a good primary education, which is the basis of all. Governments are responsible for effective measures and procedures for labour inspection in their countries and must implement them to the letters. They must on no account break the ban on child labour or forced labour. Governments are obliged therefore, to implement human right laws that protect children.¹⁰⁵ Together with trade union, consumer associations and other aid agencies therefore, Terre des Hommes concludes by calling “for binding rules for companies operating at the multinational level. Voluntary initiatives from industry, fair trade, social labels or the introduction of codes of conduct may lead to a faster implementation of at least the fundamental rights of workers in some industries or locations. They are no substitute for internationally binding rules. On this issue therefore, Terre des Hommes supports fair trade and promotes the devising and implementation of social standards for individual sectors or products. Terre des Hommes calls on commercial enterprises to implement at least fundamental working conditions in their value chain. Terre

¹⁰⁴ Cf. Ibid. Terre des Hommes urges that public authorities also pay attention to the adherence to core labour standards when buying goods and services. Terre des Hommes rejects boycotts of products produced by children or products from countries in which child labour is a problem. Boycotts would make thousands of workers adults and children jobless and intensify the situation. Boycotts would hit equally all enterprises of an industry irrespective of whether a company really violates core labour standards.

¹⁰⁵ Cf. Ibid., p.12.

des Hommes therefore calls upon consumers to use their purchasing power to assert the fundamental rights of workers.”¹⁰⁶

2.4 Evaluation and Conclusion

Child labour from our studies so far has shown the very many abuses and exploitation the child had experienced through this practice of child labour despite the fact that it has also helped many in the history of humankind. So many children who are victims of this practice have ended up as drug addicts, prostitutes, kidnappers, thieves etc. On another note, child labour is a problem of immense social and economic proportions throughout the developing world. While there are encouraging trends in a number of nations, child work rates remain persistently high in many countries of the world. Millions of children are stuck in utterly intolerable situations, and many millions more are forced by necessity or circumstance to work too much, at too young an age, robbed of both their childhoods and their futures. In the now developed nations of the world, millions of children once worked in mines, mills, factories, farms, street sellers, often in situations strikingly similar to those observed in the developing world today. Child labour has long been recognized as a common practice in developing countries including the United States and Europe as late as the early twentieth century. It is important to reiterate that there are many examples of abominable exploitation of children: bonded labour, prostitution, child soldiering or other extremely hazardous, unhealthy, or personally dehumanizing forms of child work. Because of the devastating effects of child labour, some scholars have suggested that any job for children aged eighteen years or less is wrong since this encourages the illiteracy, inhumane work and lower investment in human capital. Child labour so to say, also leads to reduced labour standards for adults, depresses the wages of adults in developing countries as well as the developed countries, and dooms the third world economies to low-skill jobs only capable of producing poor quality cheap exports. More children that work in poor countries, the fewer and worse-paid are the jobs for adults in these countries. In other words, there are no moral, social and economic reasons that justify child labour especially the ones that affect the child negatively.

¹⁰⁶ Terre des Hommes, p.12.

Chapter 3: Child Labour: A Threat to the Child’s Healthy Development and an Infringement on the Child’s Dignity and Rights.

3.0 Introduction

The Universal Declaration of Human Rights articulates human dignity as the reason human beings must be granted their rights. Human dignity therefore is the basis of the fundamental human rights. Dignity of man is inviolable and should be protected and at the same time also be respected. The dignity of the human person therefore, is not only a fundamental right in itself but also constitutes the basis of the fundamental rights in international law. The 1948 Universal Declaration on Human Rights enshrined this principle in its preamble that “whereas recognition of the inherent-dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world.”¹⁰⁷ Consequently, the dignity of the human person is part and parcel of the substance of any right protected by international human rights law. It must be protected and respected in as much as human dignity goes to the heart of human identity including a child, gay, lesbian, bisexual, etc. In addition to the rights that are available to all people, there are rights that apply only to children. This statement is true because children have individual rights as a result of their unique and extraordinary needs – they need additional care and protection more than adults. The United Nations Convention on the Rights of the Child is therefore an international document that sets out all the rights that children have. In this convention, a child is defined as any person under the age of eighteen. Thus: “The Convention on the Rights of the Child is an international treaty that recognizes the human rights of children, defined as persons up to the age of eighteen years. The Convention establishes in international law that States Parties must ensure that all children without discrimination in any form benefit from special protection measures and assistance; have access to services such as education and health care; can develop their personalities, abilities and talents to the fullest potential; grow up in an environment of happiness, love and understanding; and are informed about and participate in achieving their rights in an accessible and active manner.”¹⁰⁸ The future and hope of every society or community therefore lie in the wellbeing of its children. Thus, the child is the father of tomorrow and the girl is the mother of tomorrow. So, it becomes imperative to the health

¹⁰⁷ The Universal Declaration of Human Rights(Accessed 20th July, 2014 from www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf)

¹⁰⁸ UNICEF: Convention on the Rights of the Child, 2006(Accessed 17th May 2016 from www.ohchr.org > OHCHR > English > Professional Interest)

and good of any nation to protect her children from premature labour that is hazardous to their mental, physical, educational and spiritual development. It is urgently required to save children from the murderous confines of social injustice and educational deprivation and ensure that they are given opportunities for healthy, normal and happy growth. Child labour is one of the factors that threaten the healthy development of the child and in fact it is a negation of the child basic dignity and right. This factor makes it extremely impossible for children to enjoy their childhood because their little shoulders carry the burden of adulthood in their tender years. Child labour therefore, is the work that deprives children of their childhood, their potentials and their dignity. Labour is a major factor of production that plays a vital role in economic development of all the countries of the world. It is also considered as an active element of production because the significant portion of national income is derived from labour. These facts notwithstanding, the issue of child labour remains a great threat to child's rights and dignity. But the concept of human dignity is a very broad concept that raises so many questions: What is human dignity? Who has dignity? Who has right? Does the child enjoy the same dignity as every other member of the human family? How can human dignity provide a foundation for human rights? And why should we accept that people have dignity? Is the concept exclusively recognized by every culture or has it universal acceptability? Does child labour stand really a big threat to child's dignity and rights as a human person? These and other related issues will be handled in this chapter.

3.1.0 The General Concept of Human Dignity

The right to dignity is presently accepted as the highest and most fundamental human right. Strictly speaking, it is the source and origin of rights. Karthel Berthelot, in 'The Quest for a Common Humanity: Human Dignity and Otherness' in the Religious Traditions of the Mediterranean' thus "the Idea of human dignity has been of essential interest in all discussions of human rights during the past sixty years."¹⁰⁹ Dignity has often been inseparable from the right to dignity. The term therefore, eludes every effort of an exact definition given its various conceptions and interpretations. This difficulty seems to be a general attribute of this phenomenon. According to him further, "dignity is hard to define. It is not something like

¹⁰⁹ Katell Berthelot & Matthias Morgenstern (Eds.), "The Quest for a Common Humanity: Human Dignity and Otherness" in the Religious Traditions of the Mediterranean, Boston: Brill 2011, p. 27.

an organ, which can be discovered in our body.”¹¹⁰ Dignity and its origin have been rarely linked to the cultural human activity. In classical Latin, the noun ‘dignitas’, the adjective ‘dignus’, and the verb ‘dignor’ – refer to worth. So, dignity can be defined only as “being worthy, worth, worthiness, merit and used metonymically, ‘greatness, authority, rank’. Dignus is similarly defined as ‘worthy, deserve of things, suitable, fitting, becoming, proper’ and dignor also seen as to deem worthy or deserving. Dignity is therefore something deserving respect.”¹¹¹ The moral recognition required to be accorded to the bearers of dignity is respect. Similarly, the Greek (αξιοπρέπεια) which is time means honour. Dignity therefore is the reverence that is owed to a human being by other human beings. The idea of dignity is in the three primary languages and traditions that have been at the heart of Western Civilization since earliest times- Latin, Greek and Hebrew.¹¹²

3.1.1 Ontological Dignity as the Source of Human Dignity

The human person is seen in this sense as having dignity because of his humanity. His dignity must be respected in all ramifications whether he is a child or an adult. Among created beings, man has special capacities and power. This dignity is natural to man. It is in his personhood. These are properties themselves which a person possesses. Reasoning along this line by stressing that man is a person and not a thing, Spaemann made a classical explanation of what a person is. He writes that the expression ‘person’ is not a term of sort.¹¹³ Analyzing this definition further, Frank Vogelsang said that “the quality of personhood does not designate elements of a particular group differentiated from other groups by specific characteristics. A person is not a thing or a life form with some special individuating attribute. The difference between a person and any other life form, between someone and something is not determined by any measurable characteristics.”¹¹⁴ Man in this sense is unique and an individual substance of a rational nature. Only human beings have the right to personhood. Man is a person also because of his rationality. For Waggins similarly “a person is any living being that belongs to

¹¹⁰ Ibid., p.27.

¹¹¹ Kass, Leon. (ed.) “Defending Human Dignity” in ‘The President’s Council on Bioethics’: Essays Commissioned by the President’s Council on Bioethics, Washington D.C: March 2008, p.308.

¹¹² Cf. David Novak: “Natural Law and Revealed Torah,” in Library of Contemporary Jewish Philosophers, by Hava Tirosh-Samuels & Aaron W. Hughes ISSN-2213-6010; Volume 3, 2013, p.72.

¹¹³ Cf. Spaemann Roberth “When does the Human Being Begin to be a Person” Paper presented at the International Congress Update and Bio ethical Considerations (X11th Assembly of the Pontifical Academy for Life) Vatican City, February, 2006, p27-28.

¹¹⁴ Frank Vogelsang, “On the Relation of Personhood and Embodiment,” in ‘The Depth of the Human Person’: A Multidisciplinary Approach Michael Welker (ed.), Michigan: Grand Rapids, 2014, p. 302.

a species whose typical members are intelligent beings, equipped with reason and reflection, and whose physical equipment typically enables them to consider themselves as the same thinking individuals at different times and in different places.”¹¹⁵ According to Boethius similarly, a person is “*persona est naturae rationalis individual substantia*” (an individual substance of a rational nature)¹¹⁶ Commenting on this definition, Geddes and Wallace write: *Substantia* –‘Substance’ is used to exclude accidents: We see that accidents cannot constitute person. *Substantia* is used in two senses: of the concrete substance as existing in the individual, called *substantia prima*, corresponding to Aristotle's ‘*ousia prote*’ and of abstractions, substance as existing in genus and species, called ‘*substantia secunda*’, Aristotle's ‘*ousia deutra*.’¹¹⁷ It is disputed which of the two words by taken by it-self, what it signifies here. It seems probable that of itself it prescind from *substantia prima* and *substantia secunda*, and is restricted to the former signification only by the word ‘*individua*’. ‘*Individua*, i.e., *indivisum in se*’, is that which, unlike the higher branches in the tree of Porphyry, genus and species, cannot be further subdivided. Boethius in giving his definition does not seem to attach any further signification to the word. It is merely synonymous with *singularis*. *Rationalis naturae* – Person is predicated only of intellectual beings.¹¹⁸ Man’s dignity is ontological to him independent of race or ethnicity, etc, and even when he is asleep or when he has fallen into a state of unconsciousness or coma. Ontological dignity is timeless in the sense that it applies to all men of all times, both young and old. It stands as an “*elementarer Achtungsanspruch des Menschen*.”¹¹⁹ It is an absolute value and a sacred thing and the destiny of human beings is being the image of God in their dignity and through it.

3.1.2 The Church on Human Dignity

The Church offers the theological justification of human dignity in her teachings that: human dignity originates from God and is of God because we are made in God’s image and likeness.

¹¹⁵ Waggins D., *Sameness and Substance*: Oxford University Press, 1980, p.188.

¹¹⁶ Cf. Boethius, *Liber de Persona et Duabus Naturis*, ch. 3. 2, see also *S. Th.* I.29.1.

¹¹⁷ Cf. Aristotle, *Metaphysics*, 15:51:36.

¹¹⁸ Cf. L. W. Geddes & W. A. Wallace, “Person (Philosophy)” in Berard L. Marthaler et al (eds.), *New Catholic Encyclopedia*, Vol. 11, (2nd ed.), Thomson Gale Publ., 2003, p. 146 [146-148]. The generic word which includes all individual existing substances is *suppositum*. Thus person is a subdivision of *suppositum* which is applied equally to rational and irrational, living and non-living individuals. A person is therefore sometimes defined as ‘*suppositum naturae rationalis*’.

¹¹⁹ Bielefeldt Heiner, “*Menschenwürde, Der Grund der Menschenrechte*“ in *Deutsches Institut für Menschenrechte*, Berlin, 2008, p.34(“*Elementarer Achtungsanspruch des Menschen*” This means the right to elementary or primary respect that is due to every human being)

This is reflected in the bible. Thus, God said: “Let us make man in our own image, after our likeness; and let them have dominion over the fish of the sea; and over the birds of the air, and over cattle, and over the earth and over every creeping thing that creeps upon the earth.”¹²⁰ Pope John Paul II in his encyclical ‘*Evangelium Vitae*’ writes that “at the dawn of salvation, it is the Birth of a Child which is proclaimed as joyful news: “I bring you good news of a great joy which will come to all the people; for to you is born this day in the city of David a Saviour, who is Christ the Lord” (Luke2: 10-11). The source of this ‘great joy’ is the Birth of the Saviour; but Christmas also reveals the full meaning of every human birth, and the joy which accompanies the birth of the Messiah is thus seen to be the foundation and fulfilment of joy at every child born into the world (cf. John 16:21)”¹²¹ Pope’s interpretation of man, gives a big relevance to his being and dignity. He argued further that “man is called to the fullness of life which far exceeds the dimensions of his earthly existence, because it consists in sharing the very life of God. The loftiness of this supernatural vocation reveals the greatness and the inestimable value of human life even in its temporal phase. Life in time, in fact, is a fundamental condition, the initial stage and an integral part of the entire unified process of human existence. It is a process which unexpectedly and undeservedly is enlightened by the promise and renewed by the gift of divine life, which will reach its full realization in eternity (cf. 1 John 3:1-2).”¹²² For him therefore “The Church knows that this Gospel of life, which she has received from her Lord, has a profound and persuasive echo in the heart of every person-believer and non-believer alike because it marvellously fulfils all the heart's expectations while infinitely surpassing them.”¹²³ Establishing a more solid ground for the concept of human dignity of which a child also shares, Pope John XXIII in his Encyclical ‘*Pacem In Terris*’ opined that “moreover, God created man ‘in His own image and likeness’ endowed him with intelligence and freedom, and made him lord of creation.”¹²⁴ This re-echoes the words of the psalmist, thus, “Thou hast made him a little less than the angels: thou hast crowned him with glory and honour and hast set him over the works of thy hands. Thou

¹²⁰ The New Jerusalem Bible, Standard Edition, London, 1985, Genesis1:26-27.

¹²¹ John Paul II, *Evangelium Vitae*, March 25th, 1995.

¹²² At the same time, it is precisely this supernatural calling which highlights the relative character of each earthly life. After all, life on earth is not an ‘ultimate’ but a ‘penultimate’ reality; even so, it remains a sacred reality entrusted to us, to be preserved with a sense of responsibility and brought to perfection in love and in the gift of ourselves to God and to our brothers and sisters. Cf. *Ibid*.

¹²³ Even in the midst of difficulties and uncertainties, every person sincerely open to truth and goodness can, by the light of reason and the hidden action of grace, come to recognize in the natural law written in the heart (cf. Rom 2:14-15) the sacred value of human life from its very beginning until its end, and can affirm the right of every human being to have this primary good respected to the highest degree. Upon the recognition of this right, every human community and the political community itself are founded. Cf. *Ibid*.

¹²⁴ Pope John XXIII in his Encyclical ‘*Pacem In Terris*’, April 11th, 1963.

hast subjected all things under his feet. Similarly, Pope Paul VI in his 'Declaration on Religious Freedom, *Humanae Dignitatis*', 'On the Right of the Person and of Communities to Social and Civil Freedom in Religious Matters' sees the concept of human dignity in this way, thus: "A sense of the dignity of the human person has been impressing itself more and more deeply on the consciousness of contemporary man, and the demand is increasingly made that men should act on their own judgment, enjoying and making use of a responsible freedom, not driven by coercion but motivated by a sense of duty."¹²⁵ The Pastoral Constitution on the Church in The Modern World *Gaudium Et Spes* has it that "for Sacred Scripture teaches that man was created 'to the image of God', is capable of knowing and loving his Creator, and was appointed by Him as master of all earthly creatures (1) that he might subdue them and use them to God's glory. (2) 'What is man that you should care for him? You have made him little less than the angels, and crowned him with glory and honour. You have given him rule over the works of your hands, putting all things under his feet' (Ps. 8:5-7)"¹²⁶ Human life therefore is sacred because the human person is the most central and clearest reflection of God among us. Human beings have transcendent worth and value that comes from God; this dignity is not based on any human quality, legal mandate or individual merit or accomplishment. Human dignity is inalienable and that means that it is an essential part of every human being and an intrinsic quality that can never be separated from other essential aspects of the human person. Human beings are therefore, qualitatively different from any other living being in the world, because they are capable of knowing and loving God, unlike any other creature. Saint Thomas Aquinas in his *Summa Theologiae* (1225-1274), drawing on the Genesis account, further refined the understanding of the human person being created in God's image by interpreting Genesis to teach that the human person is an "intelligent being endowed with free-will and self-movement."¹²⁷ The human person, therefore, has a soul that endows him/her with the ability to know and love God freely, thereby having a privileged place in the order of creation. Little wonder the Psalmist exclaimed: "When I see the heavens, the work of your hands, the moon and the stars which you arranged, what is man that you should keep him in mind, mortal man that you care for him [...]. You have made him little less than a god; with glory and honour you crowned him,

¹²⁵ Pope Paul VI, *Dignitatis Humanae*, Number 1, 7th December, 1965.

The demand is likewise made that constitutional limits should be set to the powers of government, in order that there may be no encroachment on the rightful freedom of the person and of associations. This demand for freedom in human society chiefly regards the quest for the values proper to the human spirit. Cf. *Ibid.*

¹²⁶ Second Vatican Council, *Gaudium et Spes*, Number 12, 7th December, 1965.

¹²⁷ Saint Thomas Aquinas., *Summa Theologiae*, 1-11, 1, Prologue.

gave him power over the works of your hand, put all things under his feet.”¹²⁸ Human beings created in the image and likeness of God have by their very existence an inherent dignity, value, worth and distinction. This means that God is present in every person, whether he or she is a child or an adult, regardless of his or her race, nation, sex, origin, orientation, culture, age or economic standing. Catholic social teaching asserts that all human beings must see within every person both a reflection of God and a mirror of themselves, and must honour and respect this dignity as a divine gift. So, by the virtue of their creation in God’s image according to these explanations, life is a gratuitous gift of God in which he allows human beings to participate in His life and He himself participates in their life. It will be good at this juncture to say without mincing words from the above explanations that, that human dignity and right are anchored in the Christian tradition, does not imply that they do not have universal value and are not applicable to non Christians. Thus, for Sergey Bulgakou, a Christian theologian, philosopher, and economist, “God’s image is the ontological, invisible basis, the original strength given to man in order to live and create.”¹²⁹ The above citation implies that neither the state nor the church can take away what God has entrusted to his creatures especially man. This image of God in man is not merely a resemblance or a property, but a higher reality, a spiritual reality, the power of God’s likeness and God likening. The union of image and likeness is the realization of the vision of life, the transition from statics to dynamics, from potentiality to energy. But at the same time, the character of the model creates an indissoluble connection between it and the Proto-image, whose copy it is. The picture in this sense is not original but derivative. Its whole reality is conditional precisely by the connection the image in this context itself in actu.¹³⁰ It is therefore, the inseparable connection of man with God that provides him genuine autonomy to his person and his dignity.

3.1.3 Dignity as a Right of the Human Person

The right to dignity has been explained by The Universal Declaration of Human Rights in Article 2, thus: “Everyone is entitled to all the rights and freedoms set forth in this

¹²⁸ The New Jerusalem Bible, Psalm:8.

¹²⁹ Sergey Bulgakou, *Agnus Dei*. Moscow: Father Alexander Men Orthodox University, 2000, p.174.

¹³⁰ Cf. Sergey Bulgakou, *The Bride of the Lamb*, Grand Rapides, Mich: W.B: Eerdmans, translated by Boris Yakim, 2002 pp.135-136. The relationship implies a certain inseparability of God and man, which in advance excludes deism’s postulate of a radical separation between God and man together in all of creation.

declaration, without distinction of any kind, such as race, colour, sex, language, religion, political, or other opinion, national or social origin, property, birth or other status.”¹³¹ Therefore, this right has neither been granted by the state nor created by the person himself. Every human being has been provided with it and also children. Dignity is related to human subsistence itself; no one can take this right to dignity away. This right is owned not only by the honest, but also by dictators, children molesters or other asocial individuals. This implies that an individual himself or herself is not involved in creation of his or her dignity. It is a ready-made biological human property that may neither be given, nor created or lost. Dignity is neither a creation of the society nor of the person himself. It has its root from the fact that the human being is created in the image and likeness of God. There is a divine immortal soul that gives unmeasured worth to every human being. This worth is from God and it is what is called dignity. Therefore, dignity is not provided to a person by the society or the people. The society has no right to interfere with one’s dignity and right. This dignity can neither be taken away nor be limited by the society or people. The above statements therefore ignore the fact that birth may become a source of rights only if the society in which one is born is ready to recognize and accept a priori a person as having worth. Therefore, no one has the right to treat the other person as an instrument or as slave whether he or she is conscious of his or her rights or not. This implies that if a person does not know law and the right to dignity, it is not because he or she has not been created by God and not because he or she has not inherited human nature by God but, it might be out of ignorance or that he or she is not conscious of it. So, a human being has the right to dignity irrespective of any social, political, religious, etc. order whether he or she is conscious of it or not.

3.1.4 Dignity as a Subjective Right of the Human Person

The right to dignity is a personal right. This right belongs to man by the virtue of the fact that he is a human being, as well as children. This personal right of every individual also takes into account and consideration, the right and dignity of the other person because they have their own subjective rights too. From the above statement therefore, neither the person’s rights nor his or her own duties separately create dignity that makes him or her higher than other individuals or persons. He or she has no more worth than other persons. Dignity is built

¹³¹ The Universal Declaration of Human Rights, Article 2.

and increased through performance of one's duties and is reduced and lost by using rights without performance of one's appropriate duties. For example, threatening the rights of other people, etc. Human beings therefore "...are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."¹³² People who can be considered as worthy and suitable to live in a society are the ones that use their rights well. They also live by not interfering with other people's rights and also perform their duties adequately for the realization of mutual benefit. Persons with such behaviours and attitudes are treated as socially useful and therefore valuable (helping other people in realizing their rights and not infringing on their rights.) Therefore, that dignity is granted to every human being irrespective of sex, age, race or nationality, as well as lifestyle, should not be taken for granted and it must be respected. The fact that human right to dignity at the subjective level does not depend on race, sex, nationality and even on lifestyle is understandable. But, this personal right to dignity of the individual does not give him or her, the freedom or the right to behave any way he or she feels. He or she must respect the code of conduct. Therefore, his or her behaviour determines how he or she is being treated by the society. Worthy of note, is that dignity shall not be affected only by issues of lifestyle such as whether a person drinks tea, alcohol or juice, eats bread or rice in the morning because this cannot neither help, nor harm other people.

3.1.5. Dignity as the Foundation of all Human Rights

Human rights are the foundations of freedom and justice. Dignity here is the basis of all human rights. Therefore, when a person's fundamental right is violated, it reduces or blocks the person's physical, moral or spiritual powers to perform duties that legalize his or her rights. This implies that that, when the ability to perform one's duties is violated and weakened, it brings about also the weakening of the capacity to live properly and perform a very significant responsibility that, his or her physical possibilities of performing certain duties are affected. This becomes a social problem because this person, who is incapable of performing his or her duties, sooner or later becomes a beggar economically. He or she is not able to meet up with his or her personal needs. He or she at this moment becomes more

¹³² The Universal Declaration of Human Rights, Article 1(Accessed 20th May 2016 from www.claiminghumanrights.org › Universal Declaration)

aggressive. He or she is thereby paying for some utilities, for example, and therefore is becoming aggressive, and less suitable to live in a society based on equality. At the same time he or she is gradually becoming more in need of social care and help.

3.2.0 Human Rights

Human right has been a burning issue in the recent times because of the very many abuses experienced in the society every day, especially children. As a way of explanation according to Alfons Brüning & Evert Van der Zweerde (Eds) “it would be a great mistake to think that ‘Human Rights’ is a recent invention. The name human rights is contemporary, their substance is not.”¹³³ The dignity of human beings makes it fitting to ascribe individual rights to them and respectful treatment of these rights appropriate. Human rights are validated by reference to the dignity of persons. He argues further that “human rights are unique moral rights of individuals, which are justified with reference to the concept of human dignity.... It is the attribute of human dignity, which allows granting human rights, which no other being is granted. Human rights, therefore, are a function of a theory of human dignity, which gives an account of what it is for people that is so unique that it grants such high –priority moral rights.”¹³⁴ So, understanding the concept of human dignity is also a necessary precondition for understanding human rights. The concept of human rights evolves within the context of the history of mankind. It is as old as humanity itself. Also, it has become the dominant morality of our age. No one would dare at least publicly to question the very idea of human rights. Douzinus Costas, Birkbeck Institute for the Humanities, University of London Constellations, *An International Journal of Critical and Democratic Theory* describes this situation in a very good way, thus: a new idea has triumphed on the world stage. This is Human Rights. It unites left and right, the church and the state, the minister and the rebel, the developed world and liberals of Hampstead and Manhattan. Human rights have the principle of liberation from oppression and domination, the rallying cry of the homeless and the disposed, the political program of revolutionaries and dissidents. The socially oppressed are also meant in this case. But their appeal is not confined to the wretched and poor of the earth. Alternative lifestyles, greedy consumers of goods and culture, the pleasure-seekers and playboys of the Western world, the owner of Harrod, a former managing director of Guinness Plc, as well as a former

¹³³ Alfons Brüning & Evert Van der Zweerde (Eds), “Orthodox Christianity and Human Rights” in *Eastern Christian Studies* 13 Leuven: 2012, p.21.

¹³⁴ *Ibid*, p.223.

king of Greece, have all glossed their claims in the language of human right.¹³⁵ The word ‘right’ in English has two central moral and political senses: rectitude, in this sense, we speak of the right thing to do, of something being right or wrong and secondly, entitlement, in which case we speak of someone having a right. This implies that this person has this right. In another note, right claims by contrast always focus on the person having this right and draw the duty-bearer's attention to the right-holder's individual title to enjoy his right.¹³⁶ The above quotations go a long way to establish the fact that human beings have rights irrespective of if it is known by the person or not. This is great thing for him or her and must be respected.

3.2.1 Child Rights

Human rights are the basic standards that people need to live in dignity. All persons are entitled to human rights. Human rights exist to make sure that we are treated appropriately and equitably and to be given the freedom to develop to our full potential, and to promote our well-being. In addition to the rights that are available to all people, there are rights that apply only to children. Children need special rights because of their unique nature and needs, namely, they need additional care and protection more than adults. The United Nations Convention on the rights of the child issued an international document that sets out all the rights that children have, maintained that a child is any person that is under the age of eighteen. Children’s rights are human rights specifically adapted to the child because they take into account his or her fragility, specificities and age-appropriate needs. Children’s rights therefore take into account, the necessity of development of the child. Thus, children have the right to live and to develop physically, intellectually and otherwise. Children’s rights aim to satisfy the essential needs for a good development of the child, such as the access to an appropriate alimentation, to necessary care, to education, etc. Children’s rights consider the

135 Cf. Douzinus Costas, “The End(s) of Human Right” in Melbourne University Law Review, 2002, pp.445-465.

136 Rights in this sense are sometimes called subjective rights because they have a particular subject (the person who holds them) as their focus, more than an objective standard to be followed or state of affairs to be realized. To have a right to something is to be entitled to this thing irrespective of you are aware of it or not. For example, freedom of worship is given to you by law as a right. This implies that the freedom of religion belongs to you in particular. And if this freedom of religion is threatened or denied, it then implies that your individual right is threatened. Denying someone something that it is his or her to enjoy in a just world is very different from denying her something (even the same thing) that she is entitled (has a right) to enjoy. Furthermore, whether she has a human right or a legal right contingently granted by the state dramatically alters her relationship to the state and the character of her injury. It follows then that human rights not only reflect and seek to realize a particular conception of human dignity but that they also represent and try to achieve a particular goal. Cf. Ibid.

vulnerable character of the child. They imply the necessity to protect them. It means to grant a particular assistance to them and to give a protection adapted to their age and to their degree of maturity. So, the children have to be helped and supported and must be protected against abuse, labour exploitation, ill-treatment, etc.

These rights of the child and the measures to apply them effectively are articulated in the United Nations conventions on the rights of the child (the UK's compliance with the UN convention on the rights of the child: eighth report of session 2014–15) published on 24 March 2015 by authority of the House of Commons London. This work articulates the decisions of the convention on the rights and needs of the child. Thus, in Article 1, a 'child' is defined as a person below the age of 18, unless a particular country has a legal age for adulthood different from this. The Committee on the Rights of the Child, the monitoring body for the Convention, has encouraged States to review the age of majority if it is set below 18 and to increase the level of protection for all children under 18.

Article 2 (Non-discrimination): The Convention applies this law to all children without discrimination. No child should be treated unfairly on any basis.

Article 3 (Best interests of the child): The best interests of children must be a primary concern in making decisions that may affect them. This particularly applies to budgetary authorities, policymakers, legislators all concerned with children's affairs.

Article 4 (Protection of rights): Governments have a responsibility to take all possible measures to make sure that children's rights are respected, protected and fulfilled. This includes assessing domestic legislation and practice to ensure that the minimum standards set by the Convention are being met.

Article 41: of the Convention points out that when a country already has higher legal standards than those seen in the Convention, the higher standards always prevail.

Article 12: (Respect for the views of the child): A child capable of forming his or her own views will be given the right to express those views freely in all matters affecting the child, with those views being given due weight in accordance with their age and maturity. In particular, a child will be provided with the opportunity to be heard in any judicial or administrative proceedings affecting them either directly, or through representatives. This implies that his or her views should be respected.

Article 19: (Protection from all forms of violence): Children have the right to be protected from being hurt or mistreated, physically or mentally.

Article 20: Children who cannot be looked after by their own family have a right to special care and must be looked after properly, by people who respect their ethnic group, religion, culture and language.

Article 27: Children have the right to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

Article 28: Children have the right to free primary education. Secondary education should be available to every child, and higher education should be accessible on the basis of capacity by every appropriate means.

Article 29: Children's education should develop each child's personality, talents and abilities to the fullest. It should encourage children to respect others, human rights and their own and other cultures. It should also help them learn to live peacefully, protect the environment and respect other people. It should also develop respect for the child's parents and for their cultural identity and values.¹³⁷

This articulation of the convention with regard to children's rights should serve as the background and basis for the creation of child rights laws in every country. These principles and standards made by the convention will go a long way to restore the dignity and rights of every child.

3.3. Child Labour Laws in Nigeria

This is a detailed presentation of the laws guiding the child in Nigeria. These laws articulate the universal laws guiding children generally. These laws are there but the proper application of these laws is the problem. I will discuss the ones that are directly connected to the topic of our discussion. A summary of these laws will be presented here. Number 28 of this act handles the issue of the Prohibition of exploitative labour on the first instance. Thus: (1) Subject to this Act therefore, no child shall be;

¹³⁷ Cf. United Nations Conventions on the Rights of the Child (the UK's Compliance with the UN Convention on the Rights of the Child: eighth report of session 2014–15) published on 24 March 2015 by Authority of the House of Commons London.

(a) Subjected to any forced or exploitative labour. (b) Employed to work in any capacity except where he is employed by a member of his family on light work of an agricultural, horticultural or domestic character. (c) Equired in any case, to lift, carry or move anything so heavy as to be likely to adversely affect his physical, mental, spiritual, moral or social development. (d) Employed as a domestic help outside his home or family environment.

Furthermore, in (2) No child shall be employed or allowed to work in an industrial sector. This is different from work done by children in technical schools or similar approved institutions if the work is supervised and monitored by the appropriate authority.

(3) Any person who contravenes any provision of this act, commits a serious offence and is liable on conviction to a fine not exceeding fifty thousand naira or imprisonment for a term of five years or to both.

(4) Where an offence under this section is committed by a body corporate body, any person who at the time of the commission of the crime was a proprietor, director, general manager or other similar officer, servant or agent of the body corporate shall be deemed to have jointly and severally committed the offence and may be liable on conviction to a fine of two hundred and fifty thousand naira.

Application of this Labour Act is presented in number 29 of this act. It states that the provisions relating to young persons in sections 58, 59, 60, 61, 62 and 63 of the Labour Act shall apply to children under this Act. This is as follows:

(1) No person shall buy, sell, hire, let on hire, dispose of or obtain possession of or otherwise deal with a child.

(2) A child shall not be used: (a) For the purpose of begging for alms, guiding beggars, prostitution, domestic or sexual labour or for any unlawful or immoral purpose; or

(b) As a slave or for practices similar to slavery such as the sale or trafficking of the child, debt bondage or serfdom and forced or compulsory labour.

(c) For hawking of goods or services on main city streets, brothels or highways;

(d) For any purpose that deprives the child of the opportunity to attend and remain in school as provided for under the Compulsory, Free Universal Basic Education Act

(e) Procured or offered for prostitution or for the production of pornography or for any pornographic performance

(f) Acquired or offered for any activity in the production or trafficking of illegal drugs and any other activity relating to illicit drugs as specified in the National Drug Law Enforcement Agency Act.

Therefore, every child is entitled to respect for the dignity of his person and accordingly, no child shall be:

(a) Subjected to physical, mental or emotional injury, abuse, neglect or maltreatment, including sexual abuse

(b) Subjected to torture, inhuman or degrading treatment or punishment. Every Government, parent, guardian, institution, service, agency, organisation or body responsible for the care of a child shall endeavour to provide for the child the best attainable state of health and also ensure the provision of good hygiene and environmental sanitation. They should also combat disease and malnutrition within the framework of primary health care through the application of appropriate technology, adequate health care for expectant and nursing mothers. They should support, through technical and financial means, the mobilisation of national and local community resources for the development of primary health care for children.

Every parent, guardian or person having the care and custody of a child under the age of two years shall ensure that the child is provided with full immunization. Every child on the other hand has a right to parental care and, protection and accordingly, no child shall be separated from his parents against the wish of the child except;

(a) For the purpose of his education and welfare

(b) In the exercise of a judicial determination in accordance with the provisions of this Act, in the best interest of the child. Every child has the right to maintenance by his parents or guardians in accordance with the extent of their means, and the child has the right, in appropriate circumstances, to enforce this right in the family court. A child has the right to free, compulsory and universal basic education, and it shall be the duty of the Government in Nigeria to provide such education.¹³⁸

¹³⁸ Cf. Child Labour Laws in Nigeria (Accessed 15th October 2014 from https://www.unicef.org/nigeria/ng_publications_Childs_Right_Act_2003.pdf)

From the above presentation, it follows that children have interesting laws in Nigeria and the measures to apply these laws. But the applications of these laws have been the problem. Sometimes, the government agencies responsible of the application of these laws are uninterested. This is as a result of the fact that their children study in the western world and are not victims of some of the social injustices children undergo here in the country. Most of the law enforcement agencies are corrupt and cannot act accordingly.

3.4. How Child Labour violates the Rights of Children and the Situations of the affected Children: Child Abuse and Neglect as the after effect of Unregulated Child labour

It is not an over emphasis when we say that it is the same people whom children are entrusted into their hands are the very people who abuse them. Reasoning along this line of thought, Dimeji opines that “it has been recognized that there are children who are harmed and abused by the very people who are expected to protect them, or who they have been entrusted to.”¹³⁹ Child abuse has been a known problem in Nigeria in its various forms. It has also attracted a great attention by the International Bodies and organizations. Formally, child abuse was limited to only severe physical injury inflicted by a parent or caretaker on the child. But recently, the definition has become broader, to include such entities as sexual physical, mental, social and emotional abuses. Little wonder Bhattacharya suggests that: “child abuse should be defined in a wider sense, as impaired from any adverse environmental factor that could otherwise be prevented to operate on the basis of scientific knowledge and adequate health services.”¹⁴⁰ Here are some of the abuses the child suffers:

- a. Harm:** The most fundamental aspect of abuse and neglect the child experiences are that these abuses, neglect, etc. are harmful to the child. There are the possibilities that cultural values vary from society to society. But, what is good for the child in a particular cultural setting might be bad for the child in another culture. For example, female circumcision and male mutilation are practiced in Nigeria and most of the African cultures, but these practices are prohibited in Western countries. Despite these differences in the various cultural settings, there are things that are generally good for the child, no matter the colour, tongue, and nation and things that are also generally not good for the child for his or her normal and healthy development.

¹³⁹ Blyth Mike, Child abuse and Neglect in Developing Countries, p.2.

¹⁴⁰ Bhattacharyya AK. “Child Abuse and Neglect: Indian perspective.” in Indian Pediatrics 20:803-810 (1983)

- b. Neglect:** This is another type of abuse. For Blyth Mike “neglect may be thought of as failure to provide whatever care is necessary for the child’s well-being.”¹⁴¹ Neglect is the failure to provide maximal care and protection of children against physical, social, emotional, psychological, etc. injuries, or to provide a warm, conducive and good atmosphere for children. Recently, a suffered social negligence as a result of the forth-coming world cup in Brazil has been noticed. A good number of children under 12 years of age have entered into prostitution. Children in Nigeria suffer negligence from their families and the society. Obviously, poverty, the breakdown of the extended family (and even the nuclear family), and the urban situation of many families around the world make it very difficult for parents to provide for their children's needs, and hard choices are often made, as in the case of the mother who leaves her children unsupervised in order to work to provide food for survival. Given the prevalence of abandonment in some areas, it is logical to believe that many children are also neglected. Malnutrition is one of the greatest problems of children in developing countries, and Nigeria is among this group. In some cases, neglect appears to be selective or even intentional. Some cultures in Nigeria give more preference to male children and sometimes the female ones are intentionally neglected. Female children with disabilities and ill children may be given less care than other children in the same family and the society at large. Children from rich families receive more attention in the society than children from poor families.
- c. Sexual abuse and exploitation:** Sexual abuse of children is not easily discovered, due to incest taboos, the secrecy of the abuse, and the feeling that it could not happen. Abuses also come from fathers, uncles, neighbours and friends. Children who are abused are not accepted into marriage again in some cultures. Some normally end up, committing suicide or entering into prostitution and drug addiction. Prostitution, therefore, becomes the only alternative open to such children who find themselves in this situation. Children sometimes are lured by employment agents to the city, where they subsequently become enslaved as prostitutes and as sex objects and some are

¹⁴¹ Blyth Mike, *Child Abuse and Neglect in Developing Countries*, Interdisciplinary Program in Child Abuse and Neglect, UCLA; 1990, .p. 24.

even locked up in rooms only for sexual acts and reasons. Sexual abuse is harmful in itself, and the harm is compounded because the victim is considered disgraced.

d. Begging: Children are at the mercy of employers who use their begging as a source of income. The disabled ones are the most vulnerable and are mostly used in this case. De Silva describes daily auctions “where deformed, diseased or malnourished child can be hired from private owners or a beggar syndicate. The money collected goes to their masters while the child is lucky to receive a small amount of money or meal. Parents and foster parents sometimes also use their children in this way.”¹⁴² Moreover, “even worse than the mere exploitation or enslavement of children for begging, the owners or parents may deliberately disfigure, maim, or starve the children to make them more pitiable. If the needed resources to care for destitute children can be mobilized, progress can be made in eliminating these practices, but it is doubtful that laws alone will be able to.”¹⁴³ These situations are mostly experienced in urban areas. But there is the possibility that one can also experience them in developed cities.

3.5 Evaluation and Conclusion

In our discussions so concerning the rights and dignity of the child, we have inter-alia established the fact that the child has his or her dignity having its roots from the general rights every person enjoys as a human person and the dignity that is attached to it. Therefore, children enjoy special rights and privileges because of their state as children. In the Universal Declaration of Human Right, we discover the internal relationship between having human dignity and having human rights. It is stated that human dignity is the foundation and the Basis of human rights. Everyone is therefore entitled to full realization of his economic, social, and cultural rights indispensable for his dignity and that these rights show an existence worthy of human dignity. Children are therefore no exception to this. They are included in this definition.

¹⁴² Ibid., p.29.

¹⁴³ Ibid., p.30.

It will be good to conclude that the purpose of this is to demonstrate that children have rights and a special one. This gives them the right to be protected from harm, abuses, exploitations, etc as a result of child labour.

Chapter 4: The Existential Situation of Child Labour in Nigeria

4.0 Introduction

The Federal Republic of Nigeria is located on the western part of Africa and shares boundaries with the Republic of Benin in the West, Chad and Cameroun in the East, and Niger Republic in the North. Nigeria, the Giant of Africa and Africa's most populous nation with about 170 million inhabitants according to statistics in 2012, embraces over 300 ethnic groups with many different languages as well. This means that Nigeria is a conglomeration of people of different ethnic groups and sometimes of different mentality. Commenting on this fact, Frederick Forsyth writes: "Nigeria at the time of the colonial lordship had never been more than the amalgamation of peoples wielded together in the interest and for the benefit of a European Power."¹⁴⁴ Among these ethnic groups, Hausa, Igbo and Yoruba are the three major ethnic groups. Nigeria also has a rich cultural, religious and traditional heritages, as well as natural mineral resources. English is the official language in Nigeria because of her being a British colony till 1960. More than half of the population can speak good English. Apart from her natural resources, Nigeria has also major industrial products such as: crude oil, tin, coal, rubber, palm oil, yam, cassava, cocoa, rice, peanuts, cocoa yam, potatoes, plantain, banana, oranges, etc, as her main agricultural products. After her independence in 1960, she experienced many ethnic problems, conflicts and tensions. The peak of this tension was the so-called Nigerian civil war from 1967-1970, which was popularly known as the Biafran War. Obiora Ike, a prolific writer, who has written many works on the Nigerian situation especially the Nigeria Biafra War, observes that "the war to subdue and retain Biafra within the context of a colonially carved out Nigeria lasted from July 1967 till January 1970, with a balance of over two million people dead, fourteen million homeless and three million wounded in battle or otherwise, besides loss of property, poverty, psychological terror and societal disorder."¹⁴⁵ These are the aftermaths of this civil war. In search of what might have caused the war, Forsyth opines: "although the immediate cause of the war had been the political, the fundamental spark had been the tribal hostility embedded in this enormous and artificial nation... for Nigeria was essentially a British, not a Nigerian experiment."¹⁴⁶ This war was

¹⁴⁴ Frederick Forsyth., *The making of an African Legend- the Biafra Story*, London, 1969, p.34(He is writer who has written extensively on the problems of Nigeria especially on the effects of British colony on the Nigerian situation).

¹⁴⁵ Ike Obiora, *Value, Meaning and Social Structure of Human Work*, Germany: Peter Lang Frankfurt, 1986, p.153.

between the predominantly Muslim sect in the North and the predominantly Christian and Traditional faiths in the South. After this war, many things never remained the same, as many things fell apart. One would ordinarily imagine that a land that is blessed with so many human and natural resources will always grow, maintaining a certain status –quo and improving positively with regard to social and super-structures that will better the lives of her citizens. Unfortunately, this is not the situation with Nigeria as the reverse is the case. On the contrary, one experiences in Nigeria a high rate of unemployment, poor standard in the educational system, social negligence of children, poor road network and terrible bad roads, abject poverty, corruption in all levels, insecurity, high rates of crime, constant power failure, miserable water supply, poor medical institutions, poor salaries for workers, fluctuating retirement benefits, absence of a plan for the youth and for the future. The yawning gap between the rich and the poor creates a situation, which makes the rich richer and the poor poorer. The consequences of these ugly situations are numerous and devastating, thereby affecting the nation in all ramifications, namely: the high rates of crime among the youths with different offshoots: kidnapping, armed robbery, drug abuse, prostitution, child trafficking, child abuse, unregulated child labour etc. These criminal offshoots make Nigeria undergo a massive change in all spheres of life, be it economic, social, political, religious or otherwise. The future of Nigeria from this perspective prompted Obiora Ike to argue further that “such a difficulty in adjusting to new changes in the Nigerian world has affected work, families, national development, labour relations and productivity. It has affected the world views of the Nigerians as many people today read and write English, think English, French, German, American or anything exotic, but have practically forgotten the traditions of their own native soil. So we can say today that the area of culture exists in a sort of ‘culture bazaar’.”¹⁴⁷

Colonialism in Nigeria from all that has been said so far has left terrible psychological and political woes on Nigeria as her victim. Not only the amalgamation of varied peoples with different cultures, mentalities, religions and languages and different thought patterns into one nation (Nigeria) without adequate consultation, it has also succeeded in brainwashing the colonized into rejecting their own skin, colour, tradition, culture, relations, values and at the end, replacing them with the eccentric and the new values from Europe. No doubt many

¹⁴⁶ Frederick Forsyth, F., op. cit. p. 34.

¹⁴⁷ Ike O., op. Cit., p.159.

Nigerians today bought over this manipulation under which the country now suffers and have themselves become even colonialists to their people. It is a common knowledge that the developing nations suffer from internal colonialism. A small group of rich, arrogant, selfish and powerful people maintain its power and wealth at the expense of the misery of the poor millions.

My intention in this chapter is to analyze the existential situation of child labour in Nigeria, demonstrating with practical examples the different works children do in their devastating situations. Before this, a critical presentation of the effects of Colonialism on the Nigerian Situation and the real nature of Nigerian economy will demonstrate further the reasons behind this ugly situation of Nigeria. These would go a long way to show why the regulation of unregulated child labour is very important and necessary in Nigeria since it cannot be stopped at this stage because of the aforementioned problems. But before this, a detailed presentation of the Child Labour Laws in Nigeria and other related matters will be made.

4.1. A Bill for an Act to provide and protect the Right of the Nigerian Child and other Related Matters, 2003.

This document not only provides but protects the rights and dignities of the Nigerian children and other issues relating to children. I will only centre my reflections on those that are directly connected to our discussions. Here are the contents of the document. The first part of this document states that the interest of the child should be of paramount consideration in all actions concerning him or her. Therefore, in every action concerning a child, whether it is undertaken by an individual, public or private body, etc, the best interest of the child shall be the primary consideration. A child according to this law shall be given such a protection and care that is necessary for the well-being of him or her, taking into account the rights and duties of the child's parents, legal guardians, or other individuals, institutions, services, agencies, organizations or bodies legally responsible for the child. Every person, institution, agency, etc that is responsible for the care or protection of children shall conform to the standards established by the appropriate authorities, particularly in the areas of safety, health, welfare, number and suitability of their staff and competent supervision.

Moreover, the second part of this document handles the rights and responsibilities of a child. It is stated clearly that every child has the right to freedom of thought, conscience and

religion. Parents and legal guardians shall provide guidance and direction in the exercise of these rights, taking into consideration the evolving capacities and best interest of the child. And whenever the fostering, custody, guardianship or adoption of a child is in issue, the right of the child to be brought up in good environment and to be free practice his or her religions shall be of paramount consideration. Similarly, no child shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth.

Furthermore, here are the lists of what the child is entitled to. Every child is entitled to respect for the dignity of his person and accordingly, no child shall be: (a) Subjected to physical, mental or emotional injury, abuse, neglect or maltreatment, including sexual abuse.

(b) Subjected to torture, inhuman or degrading treatment or punishment. Government, parent, guardian, institution, service, agency, organisation or body responsible for the care of a child shall endeavour to provide for the child, the best attainable state of health and medical facilities and also ensure the provision of good hygiene and environmental sanitation. They should also combat disease and malnutrition within the framework of primary health care through the application of appropriate technology, adequate health care especially for expectant and nursing mothers. They should support, through technical and financial means, the mobilisation of national and local community resources for the development of primary health care for children. Every parent, guardian or person having the care and custody of a child under the age of two years shall ensure that the child is provided with full immunization. Every child on the other hand has a right to parental care and, protection and accordingly, no child shall be separated from his parents against the wish of the child except

(a) For the purpose of his education and welfare.

(b) In the exercise of a judicial determination in accordance with the provisions of this Act, in the best interest of the child.

Every child has the right to maintenance by his parents or guardians in accordance with the extent of their means, and the child has the right, in appropriate circumstances, to enforce this right in the family court. By maintenance, it means all his or her basic needs as a child. A child has the right to free, compulsory and universal basic education, and it shall be the duty of the Government and agencies responsible for children in Nigeria to provide such educational facilities and ensure that adequate measures are applied.¹⁴⁸

¹⁴⁸ Cf. A Bill For an Act to Provide and Protect the Right of the Nigerian Child and other Related Matters, 2003 (Accessed, 10th September, 2014 from https://www.unicef.org/nigeria/ng_publications_Childs_Right_Act_2003.pdf)

Worthy of note is that there are laws protecting children both on the national and international levels. But the applications of these laws are the problems especially in third world countries like Nigeria. For example there are laws concerning freedom, equality, human dignity, etc. These laws are boldly written, but the applications of them are the problem.

4.2. Child Rights' Laws and Child Labour Laws in Nigeria: Their Applications

Ten years after Nigeria had adopted into law the international prohibitions on child labour and child rights' laws, but it is unfortunate that millions of children in the country are still engaged in child labour activities and other related activities that are unhealthy to their normal development. Little wonder that the International Labour Organization had estimated that about 25 percent of Nigeria's 80 million children under the age of 14 are now in the workforce and are fully engaged.¹⁴⁹

The questions here are: Are there really child labour laws in Nigeria and legislation that protect the interest of the child? The answer is simple yes, as we have seen above, but the applications and enforcement of these laws are the problems. I have already listed these legislation and regulations that protect the interest of the child. Though the United Nations has already created a large number of international conventions apart from the national legislation protecting the child in Nigeria, setting legal standards to prohibit the exploitation of child labour, the problem remains widespread. After all, laws mean very little and are useless if they are not enforced and applied. Besides, concrete measures attacking child labour must be taken at the national level for the first instance and implemented afterwards on the state levels. Worthy of note is that these laws are not given real attention. Consequent upon this, the International Labour Organisation (ILO) had mapped out strategies on how to address this problem. According to the ILO, national strategies to address child labour issues should, at minimum, encompass the following five elements:

1. National plan of action: Single action or isolated measures against child labour will not have a lasting impact. Actions must be part of an overall national plan.

¹⁴⁹ Cf. The International Labour Organisation: Despite Bans, Child Labor Prevalent in Nigeria - (Accessed, September 27th, 2014 from www.voanews.com/.../child-labor...nigeria)

2. Research: To develop effective national (and international) policies and programmes, extensive research must be undertaken to determine the state of child labour.

3. Awareness: Child labour is often viewed as an unavoidable consequence of poverty. Without greater awareness about the extent and exploitative nature of child labour, the conditions for change will not occur.

4. Broad social alliance: Government action against child labour often ends with making laws.

Initiatives against child labour traditionally come from non-governmental organizations that have limited resources. Both need to work together. Other segments of civil society the media, educators, artists and parliamentarians should also be enlisted in the fight.

5. Institutional capacity: To formulate and execute a national policy, an institutional mechanism (such as a ministry or a department) within the Government must be created to monitor enforcement.¹⁵⁰

Moreover, it has been said earlier that cultural norms and traditions are one of the major factors hindering the prohibition of child labour. Michael Bourdillon in talking about the intensity of this problem explained that “it is particularly problematic when cultural values contradict widely held international norms about what constitutes abuse of a child. They ability to make universal statements about value on such issues as child abuse has been questioned.”¹⁵¹ This is normally a very difficult situation. But through the strategies that regulation will be bring about, these situations will be put to place. And this is one of the goals of regulation.

4.3 Child Labour in Nigeria Today

Child labour in Nigeria attracts the attention of many in the present day, nationally and internationally, because of the devastating consequences and effects on the children involved especially on the area of education. It has really grown beyond forced and unregulated labour

¹⁵⁰ Cf. International Labour Organisation: On Initiatives Child Labour (Accessed 26th February 2017 from <https://www.scribd.com/document/.../Initiatives-Child-Labour>)

¹⁵¹ Michael Bourdillon et. al., Rights and Wrongs of Children’s Work, p.17.

in factories, on the streets and agriculture to a very ugly situation, where children at their early stage in life are employed and allowed to be involved in certain level of commercial activities and odd jobs or activities, rather than learning and being engaged in activities that will enhance their normal and healthy development as children. Some are sent on the streets, motor parks, etc, to sell one item or the other. Some work for long hours in agriculture under dangerous conditions. They are often exploited in this regard because of their vulnerability and innocence when compared to adults. They are very cheap to hire, use, exploited and are less likely to demand higher wages, better and conducive working conditions. The argument that children are particularly suited to certain types of work because of their tenderly body and natures holds no water. In 2006, UNICEF in its report on child labour in Nigeria reveals that “a staggering fifteen million children under the age of fourteen were working across Nigeria and that many were exposed to long hours of work in dangerous and unhealthy environments. These children, according to report carried too much responsibility for their age. The report states that about six million working children in Nigeria, equally split between boys and girls do not attend school at all, while one million are forced to drop out due to poverty. Over eight million children manage to stay in school and work in their spare time to pay educational fees. Due to high demand at work, these children often skip classes for one form of job or the other.”¹⁵² Unregulated child labour according to these facts therefore remains a major issue of concern in Nigeria today and should be given great attention.

It is a pity that in spite of legislative measures taken by the government at various levels to check-mate this ugly situation, unregulated child labour still increases every day. According to the estimation of the International Labour Organization (ILO 1998), 24.6 per cent of children between the ages of ten – fourteen in Nigeria are doing one work or another.¹⁵³ Similarly, according to report of the Business Day Newspapers, “It is sad to note that one of the touching reminders that we are a poor country is the deluge of children on our streets selling different items to passersby, children under the age of eighteen, through circumstances beyond their control, are left to fend for themselves, and often for their parents as well, through the money they make working on the streets.”¹⁵⁴ Commenting on this further, the International Labour Organization said that, the number of working children under the age of fourteen in Nigeria is estimated at fifteen million. Research has shown that these children

152 Unicef Factsheet of Child Labour in Nigeria(Accessed 10th May 2017 from https://www.unicef.org/wcaro/WCARO_Nigeria_Factsheets_ChildLabour.pdf)

153 Cf. International Labour Organisation: On the Declaration on Fundamental Principles and Rights at Work, 1998(Accessed 11th June 2016 from www.ilo.org/declaration/lang--en/index.htm)

154 Business Day Newspaper, Wednesday September 23rd, 2010.

display very poor educational achievements and they suffer from fatigue, irregular attendance at school, lack of comprehension and motivation, improper socialization, exposure to risk of sexual abuse, high likelihood of being involved in crime.¹⁵⁵ Similarly, parents and guardians who push their children or wards towards paid and unpaid unregulated labour, do not do so as a matter of preference, but usually they do so because they are left with no choice. It is indeed a ridiculous sight in most big cities in Nigeria as well as rural villages to see children in school age trading food and fruits on the streets, motor parks and motor workshops, herding animals, fetching water for commercial purpose, washing dishes at restaurants, etc. The difficulties faced by the Nigerian children are so pathetic and therefore call for urgent attention, as they have proven over the years as problems that have come to stay. Recent studies and reports, especially from the International Labour Organization (ILO), show that child labour has been in its worse condition in the recent times as a result of the fact that some of these children have no solid financial and education background, no parental care etc. Consequently, they have no alternative than becoming street hawkers. They hawk their wares in the streets during the day. A times, to make ends meet, they also work at night. Such lifestyles and circumstances impede the normal and healthy growth of these children.¹⁵⁶ The future of these children in this case is very dark and bleak. In the past, children normally worked with their families and close relations, learning skills they would need as adults. But today, children are forced to work for their own and their family's survival. The money earned by 'child workers' has become a major and significant part of the family income. One of the scenes that remind one of high level of poverty in Nigerian is the number of children in various streets in Nigeria still selling and hawking different items to passers-by and also in motor-parks. One experiences this in major roads in Nigeria. One discovers that thousands of children still under aged through circumstances beyond their control (mainly out of poverty) are left to care and fend for themselves. They often help their parents as well as the whole family through the money they make, working and selling on the streets.

Similarly, one of the factors that encourage the issue of child labour is the fact of losing one or both parents, which brings the rural-urban migration. Children, who lost their parents at very early stage in life, are sometimes left only with the option of migrating from rural to urban areas in search of greener pastures. This migration without the supervision of an elderly

¹⁵⁵ Cf. International Labour Organisation: On the Reports on Child Labour, 1998(Accessed 13th May from https://www.unicef.org/nigeria/children_1935.html)

¹⁵⁶ Cf. Ibid.

person could force these children into doing all sorts of jobs to make both ends meet. The International Labour Organisation explains this, thus: “though migration can be a positive experience for children and can provide them with a better life, increased opportunities and an escape from immediate threats such as forced marriage, conflict and natural disaster, child migrants can face serious challenges while migrating. These challenges are particularly serious when children migrate without proper documents and/or without their families and in countries where legal protection is absent and where children are prevented from accessing basic services such as education and health care. In these situations, child migrants are at a high risk of exploitation and vulnerable to child labour.”¹⁵⁷ The most prevailing factor faced by most parents is the major factor that forces parents to send their children to hawk or sell on the streets, to be involved in other forms of hard labour such as working in agriculture and industries. All these problems in most cases make it impossible for children to go to school or enjoy their child. The truth is that as much as some parents appreciate the importance of education; these parents are so poor that they cannot afford to pay their children’s school fees, buy school uniforms and other necessary learning materials like books for their children. They are left with no option than to involve their children in labour. Again the problem of the high rate of joblessness and unemployment in the country amongst parents has also been pointed out as a major factor causing the rise in unregulated child labour in Nigeria today. This is so because it leaves the parents with no choice than sending their children out on the streets to make money. It has been noticed in all ramifications by world bodies and international organizations concerned with the promotion of children’s welfare that Nigeria is not making honest effort to discourage unregulated child labour rather she encourages it in one way or the other.

In Nigeria today, child labour occurs mostly in semi-formal and informal businesses with hundreds of thousands of young domestic servants, mainly working for prosperous urban families. Domestic servants are the least visible category and often are sexually harassed and exploited. Among young domestic workers, a half of those employed in Lagos said they knew of sexually molested domestic servants. Overall, hazardous works in fields, private

¹⁵⁷ The International Labour Organisation: On Gender Equality at the heart of decent work: (Accessed, September 23rd, 2014 from www.ilo.org/ipecc/areas/Migration and CL-23rd). Many children in this case who are migrants end up in agriculture or services such as domestic work. Some of them, but not all, are victims of trafficking. Child migrants often experience maltreatment including suffering from isolation, violence, substandard working conditions, non- payment of wages and the threat of being reported to the authorities. Evidence suggests further that amongst child labourers it is migrant children who receive less pay, work longer hours, less often attend school, and face higher death rates at work in comparison to local children. Cf. Ibid.

households and on the streets expose children to abuse and exploitation and pose serious threats to their healthy and normal development. It is indeed a sad commentary that the Nigerian child appears to have been sentenced to a perpetual suffering, deprivation and wanton neglect due to acts, omission or commission by various governments and administrations over the years. The point is that not much attention has been given to our children by the country's policymakers. Unregulated child labour in Nigeria has been accepted by many in the recent times as part of our normal life and a practice that has come to stay. But this practice is only an aberration and negation which takes away the innocence of millions of children and led them to work. It is a big threat to the dignity of these children and to the future of the country in general. It is important to note at this point that these working children are always prone to neglect, abuse and exploitation. They are often victims of their employers. Many children today who are destined for greatness have had their dreams, and bright future often ruined by the compulsion to earn a little money through unregulated child labour. In some cases, they are rendered unhealthy and uneducated. Many of these children have died through accidents on the roads, industries and agriculture.

On another note, "in the context of poverty and developing countries, child labour in itself should not be considered abuse, as it can provide income which may be quite necessary for the survival of the child and his family."¹⁵⁸ This is so because without these children doing some work; there will be no food and sometimes no possibility of going to school. What is considered wrong for a child in this situation is the unregulated labour. Blyth Mike argues further on this thus:

"1-Some work may become slavery with no benefit to the child. Parents may be glad to find even an unpaid job for the child, so as to have one less mouth to feed, or may use their simply as a source of income. To the extent that the child suffers for the benefit of others, this constitutes abuse.

¹⁵⁸ Blyth Mike, *Child Abuse and Neglect in Developing Countries*, Interdisciplinary Program in Child Abuse and Neglect, UCLA; 1990, p.29. Dr. Michael Blyth, MD is a board certified pediatrician in Bakersfield, California.

2-Child labour involves separation of children from their parents and homes even of a very tender age. They are deprived of many essential things in this case namely: normal social and emotional relationships for normal growth and development.”¹⁵⁹

3-Slavery: Slavery is another type of child labour. In this type of child labour, the child is completely under the control of the owner, who is the master for a prolonged period. Children under this condition have no decision of their own. They only obey the command of the master whether it is good for them or not. For Blyth Mike, the child is helpless here because the parents have given up his or her rights to the master. The child is used as a repayment for the parent’s debt. Children in this case, are used for any labour desired by the Lords no matter the condition.¹⁶⁰ In Nigeria, girls are mostly the ones used in this type of child labour and they end up becoming wives and sex materials to their masters. Sometimes, there are some advantages in this case when the child involved falls into the hands of good people. He or she will eventually go to school and be treated as a member of the family. But this case is rare. On the contrary, when he or she falls in the hands of people without conscience, exploitations and abuses occur. He or she has no option than to remain at the mercy of his or her master. Child labour affects the nation negatively because the children involved are deprived of their opportunity to go to school. This implies that in the future, the country will be filled with illiterates. It is vastly assumed that in the long run, child labour will not help to promote and aid economic growth, rather it hinders it. While child labour may not have much effect now on the nation’s economy, they will play a role in shaping the country when they grow up. This is a major reason the menace of unregulated child labour should be tackled now and regulated appropriately. In order to have educated, healthy, contributing member of the society later, it will be very necessary to regulate and check-mate unregulated child labour now before its devastating economic effects starts to show up. Furthermore, child labour has exposed many children to various hazards and hazardous situations ranging from risk of accident, kidnapping, physical violence, etc. They are also exposed to different kinds of weather

¹⁵⁹ Cf. Ibid. Moreover, children who are employed may happen to be in the care of people who have no interest in their well-being. They are liable to physical and sexual abuse. Because of medical and nutritional neglect by their employers, and because of harsh working conditions and long hours, they often have serious health problems and malnutrition. Few illnesses or job-related problems are encountered. Child labour is also a big barrier to education. This is one of the greatest problems of child labour since education is the bedrock and foundation of development and also contributes immensely for the good of the society. The best approach will often be to investigate the conditions under which children are working locally, what their problems are, then to design appropriate intervention programs and interventions based on the findings. For example, employers could be required to provide regular health care and education for all employed children, the number of hours worked could be controlled and working conditions could be inspected and regulated by a government agency. Children below a certain age could be forbidden to work. Cf. Ibid. 30.

¹⁶⁰ Cf. Ibid., p.31.

situations (extreme cold or heat), insect bites, hunger and deprivation. Some are even sexually abused and exploited and forced into prostitution with the great risk of unwanted pregnancies and contracting sexually transmitted infections and diseases. Going by the current trend at which unregulated child labour is on the rise and increase in Nigeria, if serious and adequate measures are not taken to arrest the situation, Nigeria may lose the vital part of her population to the menace.

Worthy of note is that children are mostly being used for cheap labour in construction sites and usually will earn or will be paid less than half of what an adult will normally earn or receive. Because of the fact that children have nothing to live for and have more or less no support from anywhere results in the case that they can be manipulated easily by wrong hands and people lacking consciences. They normally grow up without love and their dignities are not respected. Later, they become tools of destruction in the society by extremists and terror groups who will find them to be already made tools for terror groups and they can easily be convinced into committing many crimes namely: robbery, terrorists attacks, kidnapping, selling of drugs, etc. The end of the oil boom in the late 1970s coupled with poverty drove millions of children into unregulated labour. Traditionally, children have worked with their families, learning skills they would need as adults, but today children are forced to work for their own and their family's survival. The money earned by child family members has become a significant part of poor families' income. This is a situation that calls for urgent attention.

4.3.1 The real situation of Child Labour in Nigeria

The issue of child labour has attracted a great attention in the present times from people of all works of life. It is synonymous with most developing countries and in a lesser extent in developed countries. According to statistics made by Obayelu Abiodun Elijah and Victor Okoruwa, it is rightly observed that “over 246 million girl and boys around the world are working instead of attending school and enjoying their childhood of which Nigeria account for about 6.1 percent (15 million)”¹⁶¹ We can say that the real situation of child labour in Nigeria today is so pathetic and calls for urgent attention. The devastating effects and consequences are enormous. Child labour especially the unregulated ones not only damages

¹⁶¹ Obayelu Abiodun Elijah et. al, Analysis of Child Labour and School attendance in Nigeria: The present and future implications p.1.

the children involved, it also inhibits the emergency of a skilled workforce, and will force Nigeria into a cycle of improvement. They also worked under unhealthy conditions for many hours on daily basis. On another note, unregulated child labour not only causes physical and psychological harm to the children involved, it can also lead to child mortality, thus: “It will surely increase the rate of child mortality as a result of working too young, for too many hours, sometimes hazardous conditions. Some children are damaged physically, emotionally, morally and intellectually and would have lost the opportunity for an education that would open up a better futures and the amount of schooling in children today determines the wage they command as adult tomorrow.”¹⁶² The government has a lot to do in this regard because if this madness is allowed to continue, it will destroy the future of the nation. Thus “Government should not only emphasize the need for a reduction in a family size but also enforce the law on the ban of child labour and compulsory education and give parent who want to educate their access to market credit.”¹⁶³

Child labour and low school attendance is a common problem throughout the world, especially in developing countries. Africa and Asia together account for over 90 percent of total child employment. Nigeria is also rating high in this regard. This is more in rural areas where life is often more difficult and where these are more reasons that lead a child to work. Poor and low school attendance is the immediate effect of unregulated child labour. One of the major reasons why children do any work is poverty. As a result of this, they also contribute to the family income. This very situation affects school attendance because the child is sometimes not allowed to go to school. Similarly, there are other related factors that affect school attendance and child labour. Cultural and social roles in certain countries are such factors that limit educational attainment and increase unregulated child labour with its devastating consequences.

Consequently, child labour in Nigeria has been accepted by many as normal part of life, but the practice is not only an aberration, which takes away the innocence of millions of children, but also a big threat to the future of the country. It is important to note that these working children are prone to abuse and exploitation as said earlier. They are often victims of their employers. Many children have had their dreams, and bright future often ruined by the compulsion to earn a little money through unregulated child labour. In some cases, they are rendered unhealthy and uneducated. Many of these child labourers would have died (many of

¹⁶² Ibid.

¹⁶³ Ibid.

them have been knocked down by vehicles) before reaching the age of 18, and not even have made any impact on the nation's future. Child labour has affected the nation's economy in negative ways and will still do, if not regulated, because job positions that require a good level of education may go unfilled. It is vastly assumed that in the long run, unregulated child labour will not help, promote and aid economic growth. While unregulated child labour may not have much effect now on the nation's economy, they will play a role in shaping the country when they grow up. This is a major reason the menace of unregulated child labour should be tackled now. In order to have educated, healthy, contributing member of the society in the future, it is necessary to regulate and check-mate the issue of unregulated child labour, before the economic effects start to show up more. Furthermore, unregulated child labour exposes these children to various hazards ranging from risk of accident, kidnapping, physical violence and sometimes are also exposed to different kinds of weather situations (extreme cold or heat), insect bites, hunger and deprivation. Some are even sexually exploited and forced into prostitution.

4.4.0 Factors that hinder the Prohibition of Child Labour in Nigeria

The problem of unregulated child labour in Nigeria today is on the increase, fuelled by the yawning gap between the rich and the poor. More than 70 percent of the population lives in poverty. Millions of children from poor families are out of school. Most of them are in the streets working under conditions considered to be illegal, unconduccive, hazardous and extremely exploitative. According to UNICEF, "15 million children under the age of 14 are working in Nigeria. Many are exposed to long hours of work in dangerous and unhealthy environments, carrying much responsibility for their age. Working in these hazardous conditions with little food, small pay, no education and no medical care establishes a cycle of child rights violations. While children have always worked in Nigeria, the figures have significantly increased over the years. The end of the oil boom in the late 1970s coupled with mounting poverty has driven millions of children into labour. Traditionally, children have worked within their families, learning skills they would need as adults, but today children are forced to work for their own and their family's survival. The money earned by the child as a family member has become a significant part of poor households' income."¹⁶⁴ Therefore, it

164 Unicef Factsheet on Child Labour, Nigeria, 2006(Accessed 12th April 2015 from https://www.unicef.org/wcaro/WCARO_Nigeria_Factsheets_ChildLabour.pdf)

could be said that Nigeria, a country that is mostly populated by the lower class citizens, has about 15million children under the age of 14 working in exploitative conditions. According to this report of the Nigerian NGO's, children of poor background are especially exposed to unhealthy environments carrying many responsibilities at their tender ages. Such exposure to hazardous conditions with malnutrition, lack of education and lack of real medical attention leads to a cycle of child right violation.¹⁶⁵

Similarly, the end of the oil boom in the 1970's and the increasing level of poverty owing to poor-political set-up, corruption, environmental disasters etc, have sent millions of children into labour. Child labour has been worsened in recent times. This occurs because most of the children involved have no solid background, no quality education, good and adequate parental care and basic psychological terrain where a child could grow. Children are mostly exploited to the extent that they become a major producer or provider for their different families. Children of such homes are denied of education which is their basic tool for future and also they do not enjoy their childhood. This can rightly be called "freedom from ignorance or even preparation for work after education. According to UNICEF 2006 "generally working children have no time, money or energy to go to school. About six million working children in Nigeria, equally split between boys and girls, do not attend school at all, while one million children are forced to drop out due to poverty or because of parents' demand to contribute to the family income. Over eight million children manage, at least partly, to stay in school and work in their spare time to pay education fees. Due to high demands at work, these children often skip classes. Missing out on education makes it impossible to break the cycle of poverty and exploitation and prevents children from having a better life and a safer future."¹⁶⁶ Many factors therefore have contributed and encouraged the emergence and perpetration of child labour in Nigeria since the pre-colonial and post-colonial eras.

4.4.1 The Real Nature of Nigerian Economy

A brief explanation of the real nature of the Nigerian economy will help to demonstrate why most of the children are engaged in labour. Historically speaking, the economy of Nigeria was

¹⁶⁵ Cf. Uwaezuoke L.E., "The Issue of Child Labour" in *The Forum News*, vol. v, Ed.358, 2014, p.15. (He has written extensively on the negative effects of child labour in Nigeria).

¹⁶⁶ Unicef Factsheet on Child Labour, Nigeria, 2006.

based on agriculture. A greater percent of the population is involved in agriculture. About 80% of the workforce was engaged in farming. The major crops in Nigeria are cocoa, peanuts, palm oil, corn, rice, sorghum, millet, soybeans, cassava, yams, rubber, etc. Animal husbandry (cattle, sheep, goats, pigs) was also practiced. Nigeria could boast of many natural resources: tin, iron ore, coal, limestone, lead, zinc, gold, etc. However, with the discovery of oil in Nigeria in 50s of the last century, petroleum became the chief and major mineral produced in Nigeria and it provides about 90% of foreign exchange earnings and the majority of government revenues. It is found mainly in the Niger delta and in some South-Eastern states. Petroleum production in its appreciable scale began in the late 1950s and by the early 1970s, its position as the leading earner of foreign exchange for the Nigerian nation became unchallengeable. The growing oil industry attracted many to urban centers, to the detriment of the agricultural sector in rural areas. In the 1980s, a decline in the world of oil prices prompted the government to bolster the agricultural sector again. Nonetheless, both refinery capacity and agriculture have not kept pace with population growth, thereby forcing the nation to import refined petroleum products and food. Similarly, there are many industries in Nigeria for the production of one product or the other. They include industries for the processing of agricultural products and minerals, and the manufacture of textiles, construction materials, foot-ware, chemicals, fertilizer, and steel. Fishing and forestry are also important factors that contributed immensely to the nation's economy, and there is small commercial shipbuilding and repair sector. In addition, traditional woven goods, pottery, metal objects, carved wood and ivory are produced. Road and rail systems in Nigeria are constructed along north-south lines; the country's chief seaports namely: Lagos, Warri, Port Harcourt and Calabar. Except when oil prices are low, Nigeria earns more from exports than she spends on imports. Other important exports include cocoa, rubber, and palm products.¹⁶⁷ The real situation of the Nigerian economy affected the Nigerian situation that resulted to the reasons that led the child into labour.

¹⁶⁷ Cf. Jake Okechukwu Effoduh , “The economic Development of Nigeria from 1914 to 2014” in Council for African Security and Development, January 20, 2015(Accessed 20th November. 2017 from www.casade.org/economic-development-nigeria-1914-2014) Furthermore, the main good imported into Nigeria includes machines, chemicals, transportation equipment, manufactured goods, food, and live animals. For instance, The United States is by far the largest trading partner, followed by China, Brazil, Spain, and Great Britain.

4.4.2 Poverty as one of the major causes of Child Labour and Street Trading

Poverty has been the major causes of child labour. According to Blyth Mike “poverty is a serious problem associated with rapid urbanization in developing nations and is a contributory factor in the growth and exacerbation of street trading and child.”¹⁶⁸ Poverty also compels parents to send their children of school age to work to in order to assist in the family income or contribute to the family up-keep. Explaining the type of work children do, Stephen Nkereuwem Ekpenyongi and Asain E. Sibiriii in their article in the Nigeria International Journal of Scientific Research in Education, opine that “...for many hours each day, children of poor parents are engaged in economic ventures including hawking, plaiting of hair, and being apprenticed to various trades.”¹⁶⁹ Still on the issue of poverty, the United Nations International Children Education Fund (UNICEF) has estimated that “there are 100 to 200 million child labourers across both industrialized and developing countries. As such, children have come to comprise 17 percent of Africa’s total labour force. Nigeria alone is estimated to have between 12 and 15 million child labourers.”¹⁷⁰

The Organisation goes on to say that “the dramatic increase in child labour and street trading in Nigeria can be attributed to several factors, namely: the rapid population growth of many less developed countries, high rates of unemployment, inflation, low wages and deplorable working conditions have contributed to incidents of street trading and child labourer as children attempt to help support their families.”¹⁷¹ Many children have been forced out of school as a result of their parents demand in order to assist to boost the family income. In this situation, children are helpless and cannot do otherwise. On a more serious note she argues that “street trading and child labour have the potential to corrupt young minds in two ways: First, a child that misses school frequently fails to benefit comprehensively from the education system. This can mean poor performance in the examination and open the door to examination malpractice for those seeking a certificate at all costs. This in turn can lead to incompetent and unlearned graduates with consequences for the nation as a whole, including increased national illiteracy. Secondly, street trading and child labour might also lead to behavioural patterns inimical to healthy citizenship. They may indulge in negative activities or criminal activities or acts: such as prostitution, armed robbery and pick pocketing and face

168 Stephen Nkereuwem Ekpenyongi et. al, “Street Trading and Child Labour in Yenegoa” in International Journal of Scientific Research, March 2011, Vol.4(1), 36-46.

¹⁶⁹ Ibid.

¹⁷⁰ Ibid.

¹⁷¹ Ibid.

imprisonment. Child labour in Nigeria is normally linked to socio-economic status of poor parents who subsists at the periphery of the urban economy.”¹⁷² These are the consequences of child labour that results in poor school attendance.

Still on this issue therefore, poverty in this present context of the discussion is the deprivation of those things or necessities that determine the quality of life. This includes: food, clothing, shelter, good drinking water, but also such intangible things as the opportunity to learn and enjoy the respect of fellow citizens. Structural inequalities, poverty and inequality, an adverse economic environment, underemployment, massive retrenchment, unemployment and a poor quality of life are the major causes of unregulated child labour here. Commenting more on the devastating effect of poverty, Stephen argues “...while poverty is often postulated as the principal cause of forcing children into child labour, a lack of good housing, inadequate food and health care service, combine to compel parents to sell their children into street trading and child labour. The least privileged children, including children without families or homes, are the most vulnerable to these social ills. The economic constraints also force people to look for wealth at all costs to the detriment of their children.”¹⁷³ In Nigeria today, one observes that a poor family has a higher probability of remaining poor since poor family incomes carry with them high risks of illness, limitations on mobility and limited access to education. This implies that the gap between the rich and the poor is still a great one. We can say that, in Nigeria “poverty plays itself out as prostitution, corruption, robbery, street life, increased unemployment, poor living conditions, high infant mortality, acute malnutrition, short life expectancy and human deprivation.”¹⁷⁴ These are the cultural influences, social problems, economic problems, national debt, low education, unemployment/inability to cope, street life and single parent’s families, with the last three factors exacerbating poverty. The ability of a family to function effectively is a determining factor in the child development. Unregulated Child labour, therefore, is a sign of family dislocation and disorganization. As a result of unregulated child labour, the welfare of the child is adversely affected, as they are exposed to other social ills and dangers. They are forced to live in adult world away from their families.

¹⁷² Stephen Nkereuwem Ekpenyongi et. al, “Street Trading and Child Labour in Yenegoa” in *International Journal of Scientific Research*, March 2011, Vol.4(1), 36-46

¹⁷³ Ibid.

¹⁷⁴ Urban Monthly Digest, March/April 1996.

4.4.3 Unemployment as one of the Major Causes of Child Labour

Nigeria is the most populous country in Africa and the eighth most populous country in the world. According to the facts collected in 2012 by the Nigeria National Bureau of Statistics, “Last collected in 2017 by the Nigeria National Bureau of Statistics, the total population of citizens in Nigeria was around 166.2 million people. In 2016, it is estimated to have over 178.5 million people although United Nations projections have placed the population as high as 186 million. As of 2017, the estimated population of the country is over 190.89.”¹⁷⁵ Nigeria has also the largest economy in Africa. It is still characterized by youth unemployment that had been one of her major problems in the recent years. This issue has been a national concern and has been discussed both in the national and the private sectors, but lasting solution has not been found. Its continued existence and occurrence had roots linked to the lack of power supply, bad governance, financial empowerment for youths, etc. Youth unemployment in Nigeria is mostly referred to as graduate unemployment. But only the skilled children are meant in this regard. There are millions of children also who are not graduates and are unemployed. It is a pity that nobody talks about this group and no serious attention has been given to them.

Unemployment in Nigeria, therefore, is one of the most critical problems in Nigeria today. The years of corruption, the civil war, military rule and mismanagement have hindered economic and social growth of the country. Nigeria is endowed with diverse and infinite resources, both human and material. However, years of negligence and adverse policies have led to the under-utilization of these resources. These resources have not been effectively utilized and well channeled in order to yield maximum economic benefits that will touch the lives of the people. The above mentioned problem is one of the primary causes of unemployment and poverty in Nigeria. Reasoning along this line, Samuel Orovwuje quoted Kofi Annan in Daily Independent, 21st April 2014, with the title, ‘Have confidence in the young people, give them a chance, and they will surprise you’ thus that: there is no doubt that Nigeria as a country is faced with serious political and development challenges, such as corruption, terrorism, energy and environmental issues. Behind these cases lie the unresolved issues of job creation and indeed unemployment that is a socio-economic problem which successive governments had failed to address frontally to date. Unemployment and the

¹⁷⁵ World Population 2017(Accessed 25th November 2017 from worldpopulationreview.com/countries/nigeria-population/)

challenges it poses to the post-2015 development agenda was one of the central themes of the commonwealth people's forum, a sideline event of the Commonwealth Foundation and civil society groups from the global north and south at just concluded biennial commonwealth Heads of Government meeting in Sri Lanka in November 2013.¹⁷⁶

Furthermore, the growing negative impact of high unemployment rate among the youth within the Commonwealth particularly Nigeria are worrisome as we get close to expected targets in 2015 of the Millennium Development Goals (MDGs). Therefore, this article highlights some of the inherent challenges and examines the required qualities, core competencies, and emerging skills sets for the Nigeria state and indeed the private sector in tackling youth unemployment going forward. High unemployment among youth within Nigeria especially young women has a negative effect on our country's development agenda particularly as we approach 2015 general elections. Some of these unwholesome effects are an increase in political unrest, economic instability, drug abuse, crime, the global illicit sex trade and human trafficking and above all, terrorism and kidnapping. Sadly, an unemployed young person had also lost his self esteem, and this has an adverse negative effect on his family and the overall national productivity and contribution to the country GDP. Increasingly, there is a disdain for blue collar jobs which discourages young persons from taking advantage of employment opportunities in this significant sector and also informs the inadequacy of vocational and technical training schools across the country. One of the major challenges facing the youth unemployment today in Nigeria is the seemingly disconnect between classroom learning and being job ready. In my view, the curriculum from secondary schools to university across the states seems outdated and does not prepare youth for the local job market and indeed the globalised marketplace of new technology and innovation which we must tap into as a nation. Also, professional stereotyping of white collar jobs has also affected those that are willing to venture into non-traditional employment streams like arable farming, fishing and animal production thereby increasing youth restiveness. Furthermore, the challenge of youth unemployment in Nigeria also deals with the issues of gender stereotyping that discourages the girl child from taking jobs in the fields and not giving young women opportunities to acquire skill sets that would improve their employability in the formal and informal employment sector of the economy. Therefore, it is imperative to include girls' completion of a quality secondary education and violence against women and girls in the

¹⁷⁶ Cf. Samuel Akpobome Orovwuje, "Have confidence in the young people, give them a chance, and they will surprise you" in Daily Independent, (Nigerian Newspaper) 21st, April 2014.

unfinished business of the MDGs. One of the bane of youth unemployment particularly women in Nigeria is also lack of access to finance and micro- credit, land and property and the discriminatory working conditions and lack of full access to reproductive health care services. A stand –alone policy is urgently required to empower girls and women to increase their employment potentials in the years ahead. While the Nigerian government has shown some seriousness in the Sure- P and You- Win Programme and initiatives, and the various micro- credit empowerment schemes in some of the states in the country, there is still manifest failure on the part of the government in the last 14 years to address the structural causes of inequality and poverty across the states and indifference to youth development and empowerment. Against this backdrop, there is an urgent need for the government and the private sector to put in place a renewed vigor to drive the process of youth employment. Government should encourage self–employment through entrepreneurship beyond political opportunism that has characterized youth and women programme across the states of the federation. The various loans, micro-credits, the Sure- P programme are not transparent, and they are not providing the required development impact on the people in spite of the billions of Naira spent on these programmes annually. The federal government education budget framework for 2014, should emphasize calls for free, quality and inclusive education at all levels including traditional forms of knowledge, and a structured curriculum that reflects the demands of the job market. In addition, young persons , particularly young mothers should be placed at the centre of sustainable development, support a particular, stand-alone goal on youth’s empowerment, meaningful and active participation in formulation of development policy and related matters, and ensure youth related indicators for all ministries and all agencies of government. There is the need to increase the possibilities for skill- based learning after school and include soft skill training especially on networking, confidence building skills that would prepare them for the workplace opportunities. The government should also encourage and facilitate the labour mobility among states around the country, so that youths with skills who are needed somewhere else can leave their state to find employment. Finally, the private sector must be seen as an active partner in the larger youth employment landscape because of its inherent potential to complement government in its quest to create and sustain jobs for the teeming population.¹⁷⁷ Worst still, the parents of these children are unemployed and have no option rather than sending their child out to work in order to assist the family.

¹⁷⁷ Cf. Ibid.

4.4.4 Cultural Factor as the most Persisting Factor

First and foremost, cultural factor is the most persisting factor that has contributed to the perpetration of child labour in Nigeria even before the invasion of Africa by the Europeans. Worthy of note is that some cultures in Nigeria do not have much value, care and respect for children and emphasize the necessity of hard work through labour irrespective of their age. As such, they understand child labour as the only and at times the best way of training and equipping the child with experience. Consequently, children participate actively in agricultural works to cultivate and provide food and monetary support for their families' upkeep. This practice is mostly experienced in many polygamous families where agriculture is the primary occupation. In Northern part of the country for instance, children are oriented at early stage in life to depend on the prescription of the Quran as they claim, to depend on arms-giving and also to live on people's charity. As a result of this, some of them end up on the streets and high-ways begging for money, exposed to harsh, exploitative conditions and a deprivation of the fundamental needs of a child especially education. Some marry very early only to end up as servants. This practice was predominant in olden days especially in the Northern part of the country.

4.4.5 The Traditional Understanding of Work in Nigeria: One of the major factors that hinders the Prohibition of Child Labour.

I have already said in the introductory part of this work that the traditional understanding of work among Nigerians is one of the principal or chief factors hindering the prohibition of child labour in Nigeria. From time immemorial and even before the advent of colonialism, Nigerians were guided by the philosophy of life that hard-work is the brain behind every success in life. We can then say that this practice cuts across the pre-colonial, colonial, and post-colonial eras. It was firmly believed that no sweat, no sweet. In the traditional Nigerian society, people were generally farmers and they grew their own products. Since most of them cultivate the same type of food crops, it turned out that their products are almost the same and would be almost identical. Describing how this practice was, Obiora Ike quoted Max Gluckman who confirmed this as he writes: "With available tools – axe, hoe, spear and trap, bows and arrows, dugouts or canoes and fishing- nets, each man can produce little beyond what he himself can consume. Hence though the poor might work for those who have more,

they cannot be employed to give the rich an elaborate level of life above their own.”¹⁷⁸ This philosophy of life so to say has its roots from the very fact that agriculture is a major and chief occupation of most Nigerians. This implies that they are mostly farmers and work in the farm lands. Their basic needs of life and that of their families are realised only through farming. Through agriculture also, most crops that normally serve as their daily food are achieved. These includes: yams, cassavas, vegetables and fruits. Meat and fish were available only through hunting by the hunters and fishing with local instruments. Cardinal Arinze confirmed this practice among the people, thus: “Work had a community aspect. People as members of the family, clan, village, age-grade or another group... It also happens that a farmer obtains help for some days in his farm work from young men or women, or from his age-grade and companions. In this last case, he has to return the compliment to another period.”¹⁷⁹ Analyzing the reason why most Africans were mostly farmers in olden days, Obiora Ike quoted Altaf Gauhar thus: In tropical Africa, agricultural production was and is the primary source of subsistence for the rural and urban populations. Through agriculture also, key commodities for the foreign trade that brings in a much-needed technology and industrial goods that foster growth were provided. It is, therefore, no surprise that the increasing failure of growth in the agricultural sector has kept many African nations in a continuous state of development as modern development studies show.¹⁸⁰ Similarly, in pre-colonial Nigeria society and even recently in the Northern part of the country, agriculture “was significant economic activity with regard to both the number of people engaged in it, either in full or in part time basis, and to the prestige it carried.”¹⁸¹ Farming was the most famous among many other economic activities. The most fortunate members of the society were mainly farmers and the youth look up to them as role models. Reasoning along this line of thought, M.M. Green explained that subsistence agriculture was the type of farming that was practiced mostly. He argues further that “this agriculture could keep the people going because of the multiple ties holding the agricultural family together, the joint work done with primitive mechanization such as hoes and matchets and knives...”¹⁸² Almost every work was done in

¹⁷⁸ Gluckman Max, Politics, “Law and Ritual in Tribal Societies” in the American Journal of Sociology, Vol. 71. No.6, Oxford: Blackwell, 1977, p. 13- 14.

¹⁷⁹ Arinze, A. F., “The Encyclical *Laborem Exercens* in the African Context. Paper at Symposium” “From *Rerum Novarum* to *Laborem Exercens*- Towards the year 2000”, Rome, 3-5th April, 1982; Pontifical omission “*Iustitia et Pax*, P. 208(He is a catholic theologian working in Vatican)

¹⁸⁰ Cf. Ike Obiora., Value Meaning and Social Structure of Human Work, Germany: Peter Lang Frankfurt, 1986, p.12.

¹⁸¹ Afigbo, E.A., Ropes of Sand – Studies in Igbo History and Culture, University Press, Ltd. Ibadan and Oxford Press, London, 1981, p.2.

¹⁸² Green, M. M., “Igbo Village Affairs” in Bulletin of the School of Oriental and African Studies, Vol. 25, Frank Cass, Ltd., London, 1964, p.32ff.

the Nigeria's traditional setting through man power. There was no improved system of farming, like tractors, harvesters, etc. The farmers till the ground with their hands, sow seeds, crops, harvest the produce also with their hands, etc. Professor J.E. Flint sees the pre-colonial type of agriculture that was prevalent in Nigeria as very efficient, and perhaps the most valuable in Africa, and he thinks that this was largely responsible for the population density in these areas, for the Nigerians "developed a density per acre only matched in Africa by that of the Nile valley."¹⁸³ Such efficiency can be seen in the manner Nigerians used and manipulated tools such as hoes, cutlasses, machets etc, to clean their environments, cultivate their farm lands and to remove the bushes where they plant their crops, etc. Professor Afigbo argued in this direction when he maintains that agriculture in Nigeria had by the first millennium A.D. become so advanced that it could stand the test of time.¹⁸⁴ Moreover, the climate was one of the factors or reasons that made agriculture one of the primary occupations in Nigeria. There are two major seasons in Nigeria, namely: the rainy season and the dry season. Rainy season begins in April and lasts till the end of October. The dry season starts in November and lasts till the end of March. Sometimes, there are little changes during these seasons, however not so much considering the geographical location of various states in Nigeria. So, the higher rate of the rainy season makes agriculture possible. Similarly, the geographical location of Nigeria makes it possible for agriculture to be practiced almost every season of the year.

On another note, apart from agriculture being the primary and chief occupation of the inhabitants, there are other professions, in which some people were involved, namely: sculpture, Art, artifacts, etc. Ike talking about the great influence of Art on the people, said: "these arts often portrayed society and its guiding philosophical pre-occupation which has been illustrated in terms of force."¹⁸⁵ With their religious beliefs and practices, these works of Art portray or have a significant meaning to what they represent. Ike captures this fact thus: "Look beneath and beyond me for what I describe and say, is more than what you see; Art is modest, yet deeply expressive and it concerns itself with life, in faces and figures showing man in his nature and activities, in the stages of his ancestry; Art depicts the fundamental dimensions of man's existence, namely, birth, life, death, power and mystery."¹⁸⁶ Some of these occupations were pre- colonial and disappeared with the advent of colonialism.

¹⁸³ Flint, E.J, "Nigeria and Ghana, New Jersey, 1966, p.63" cited in Work of Ike, Obiora, op. cit., p.13.

¹⁸⁴ Ike, Obiora, Value, Meaning and Social Structure of Human Work, p.13.

¹⁸⁵ Ike, Obiora., op., cit., p.3.

¹⁸⁶ Cf. Ibid.

4.4.6 The Reasons behind Polygamy in Nigeria and their Effects on Child Labour

Closely connected with the traditional understanding of a work in Nigeria is the phenomenon of polygamy as a form of family. It will be good to say at this point that agriculture is as old as the Nigerian society because every man or woman more or less was involved in agriculture, either as his or her principal occupation as in most cases, or as secondary occupation for those who were predominantly traders, artists and even in other fields of life. Agriculture, therefore, needs a lot of man-power and a possible way of realizing this aim was for a man to marry many wives as much as he could take care of and have as many children as possible. Until the present time, the Nigerian man values children and human resources, channeling his resources towards these aims. Hence, the saying: ‘He who has children is richer and stronger than he who has money’. (Nwakaego) In other words, a child is worth more than money or wealth because a child will inevitably grow up and make money or acquire property. This confirms the reasons given earlier for the encouragement of Polygamy in Nigerian societies. Families however, produce food to feed themselves. Some of these products include yams, coco-yams, cassava, maize, vegetables, palm products, different types of fruit. The larger the family, the bigger the produce of agriculture, as many hands worked together to raise the quantity of production. It was accepted that the practice of marrying many wives and getting many children as practiced in the traditional society has economic advantage since it provided labour as well as increased the agricultural produce.¹⁸⁷ The family as the basic institution played a significant role in the traditional society. It provided the primary source of labour in the society. Since the main reason for work was first to sustain the members of the family who, therefore, did not relent in contributing for the upkeep of everyone. M.M. Green writes with regard to this situation, thus: “Labour is provided entirely by the family – the household made up of a man, his wife or wives and children and these cooperated as the basic unit for the production of food crops, although a certain amount of outside help may be sought.”¹⁸⁸ Families with a large number of people were seen as having great advantage over others with few members, because such families need not to hire labour for work on the farms. A man who wanted to prosper as a farmer according to Obiora Ike had to marry so many wives and beget many children, as these would also help to increase the production of goods in the farm.¹⁸⁹ This practice encouraged polygamy in the traditional

¹⁸⁷ Ibid., p.14.

¹⁸⁸ Green, M. M., “Igbo Village Affairs” in *Bulletin of the School of Oriental and African Studies*, Vol. 25, Frank Cass, Ltd., London, 1964, p. 35.

¹⁸⁹ Cf. Ike, Obiora., op. Cit., p. 15.

society as many children were a sign of blessing from God, while childlessness was seen as a curse. Some men sent their childless wives home and marry another in order to realize this motive. Since agriculture was the fundamental and most general type of work in the society, work on the family land assumed a high importance. The men who grew large quantity of yams were confirmed with a particular traditional title, as a result of their success. These men were the pride of the society and the youths look on them as role models. Women dream of having such men as their suitors as they will be able to feed them, their children and even their parents and relatives in the time of need. This encouraged agriculture in the society as laziness is not welcomed. Labour is a family responsibility and every member of the family is involved, both old and young. A man typically shares out portions of land for farming to his wives and helps them clear the bush before farming. He sometimes gives some portion to his children from the family land, where they could farm in due course. Through this practice therefore they maintain the family heritage. The wealthy farmer who cultivated large barns of yams needed many hands to help him out with his farm work. In his book 'Things Fall Apart', Chinua Achebe, a Nigerian and African prolific writer, gives a good example of such a rich farmer in the character of Nwakibie and writes that "there was a wealthy man in Okonkwo's village, who had three huge barns, nine wives and thirty children. His name was Nwakibie and had taken the highest, but one title which a man could take in the clan. It was for this man that the Okonkwo worked to earn his first seed yams..."¹⁹⁰ And Okonkwo, as he was presented in the book, asked for his help when he said that "i have come to you for help. I have cleared a farm but had no yams to cultivate. I know what it is to ask a man to trust another with his yams, especially these days when young men are afraid to do hard work... If you give me some yam seeds I shall not fail you."¹⁹¹ Nwakibie appreciated Okonkwo's request and believed that Okonkwo will manage to build up a fortune for himself and his family – some reasonable means of livelihood. Hence the remarks from Nwakibie: "It pleases me to see a young man like you these days when our youth have gone so soft. Many young men have come to beg for yams but I refused because I knew they would dump them in the earth and leave them to be choked by weeds... I have learnt to be stingy with my yams. But I can trust you. I know it as I look at you... I shall give you twice four hundred yams. Go ahead and prepare your farm."¹⁹² Chinua Achebe the writer here presented Okonkwo as a man with a bright future as a result of hard work. People like Nwakibie agreed to give yams to young

¹⁹⁰ Achebe, C., *Things Fall Apart*, op. cit., chapter 3, Pp. 12-18.

¹⁹¹ Cf. Achebe Chinua, *Things Fall Apart*, Heinemann, London (African Writers Series) chapter 3 Pp 12-18, 1958.

¹⁹² *Ibid.*

farmers, on the condition that they will work for them for a considerable time. Thus, labour was guaranteed in the farm work in traditional society.¹⁹³ Children are fully involved in this case in order to realize this very purpose. Sometimes, they do this even without being called to do so.

4.4.7 The Concept of Hard-Work in Nigeria and its Effect on Child Labour

This idea of hard work is one of the factors that hinder the prohibition of unregulated child labour in Nigeria. Work was seen as a means of acquiring livelihood and also as a way of portraying greatness especially among the men. This idea of work as a way to show the importance has encouraged child labour to a greater extent. Hence, all must be involved in work, both the old and the young as well in order to achieve this goal. Hence, the famous saying ‘that all hands must be on deck’ and he who does not work must not eat. Thus: “They also understood work as a corporate activity, performed by all members of the community and family, including children. Through work, a man, his wife or wives, and children were able to engage themselves in a united and concerted action to complement each other and fulfill their basic needs. Painful, though it was, work was regarded as a normal human activity in traditional society.”¹⁹⁴ And in the exact words of cardinal Arinze, it was part of life. “Nobody was called a worker because everybody was a worker. It was taken for granted that everyone did some useful work, and most of it was rural.”¹⁹⁵ Similarly, on the issue of hard work, it is easily observed that the Nigerian parents encourage their children to do one manual work or the other. Reasoning along this line of thought, Green maintained “hard work and innovation are virtues that are highly encouraged by the parents and elders. Hard work and innovation would always be stressed in the upbringing of children”¹⁹⁶ Even before and after the advent of colonialism, the virtue of hard work was highly praised and rewarded in the Nigerian society. Laziness as against hard-work is highly punished. Let me use the Igbo tribe as an example in Nigeria to explain better this issue of hard-work, the “Igbo society placed a high premium on hard work, and so, not only valued the hard worker but held him up for

¹⁹³ Cf. Ike. O., op. Cit., p.23.

¹⁹⁴ Ike O., Value, Meaning and Social Structure of Human Work, Op. cit., p. 8.

¹⁹⁵ Arinze, A.F., “The Encyclical *laborem Exercens* in the African Context” in Paper at Symposium: ‘From *Rerum Novarum* to *laborem Exercens*- Towards the year 2000., Rome, 3-5th April, 1982; Pontifical Commission “*Iustitia et Pax*”, p. 208.

¹⁹⁶ Green, M. M., “Igbo Village Affairs” in *Bulletin of the School of Oriental and African Studies*, Vol.25, 1964, p.89.

admiration. He provided the theme for edifying songs and tales, while the lazy man was the subject of ribald songs and jokes.”¹⁹⁷ A lazy person is always strongly criticized, and he or she runs the risk of having a bad reputation in the village – the worst thing that could befall an Igbo man in traditional society. This point would be buttressed further with the book, ‘Things Fall Apart’. In this book, Achebe used Unoka, Okonkwo’s father, as one of the principal characters to differentiate between hard work and laziness in the Igbo traditional society and other traditional settings in Nigeria. Unoka was a lazy man and a drunk, who did not work hard to take care of his family. Consequently, he was a no body in his village Umuofia and easily despised by his kinsmen and insulted by the people. He had no title in the community because of his irresponsibility and his social status was zero. He was known for borrowing from people without paying. He died with huge debts. Okonkwo, on the contrary, was a great hard-working man. Okonkwo could not come to terms with his father as he was living because of his character. He never wanted to be like his father. As a result, he started early with his social status by achieving a unique feat of defeating a great and dreaded wrestler, an incident that catapulted his image in the society. He was hard-working, courageous and abhorred weakness. To crown it all, he received one of the highest title in his community meant only for the hard-working and wealthy. He tried as much as possible to take his children very early to the farm in order to teach them the virtue of hard-work, so that they will not be like their grandfather. His closest friend Obierika did the same.¹⁹⁸ From this view, it is easily observed that the intention of parents here is not to involve their children in any type of work that could endanger their future. Children in this context start very early in life to work and would even do some work that is not good for them in order to be rewarded by their parents and elders.

4.4.8 Attitude to Work and Wealth in Nigeria before the Advent of Colonialism and Afterwards

The standard of living in the Nigerian traditional Society was just like in other communities where almost everyone works very hard in order to provide for himself and the family. Acquiring wealth and experience belongs to the primary reasons why people work and Nigerians are not ruled out in this regard. Children are also involved in this case. But there

¹⁹⁷ Ibid.

¹⁹⁸ Cf. Achebe, C., *Things Fall Apart*. London: Heinemann, (African Writers Series), 1958, p.3-5.

was a difference with respect to the Nigerian situation. Nigerians work hard to acquire wealth and property like every other man but the difference lies in the purpose or intention. Even before the advent of colonialism, property was meant not only for the person who acquires it, but he uses it judiciously to assist the extended family, friends and even the less-privileged. Children sometimes work in order to help a friend in need. So the attitude to wealth and property was not that of accumulation as it is easily observed today, but that of using this money to meet up with one's family needs, and also to help other members of the society especially the less privileged. And the only way to achieve this is through sharing with one another. This is far observed in the recent times. Reasoning along this line, Ike said: the rich have the obligation of towards the poorer members of the village. No selfish ownership of property was encouraged. To get social recognition in the society, a wealthy individual must dispose of his wealth to the less privileged, by lending out to them, or sharing with them his food, crops and so on. The primary function of property for the traditional society was that of supplying community needs as well as those of the individual. The attitude of sharing with the community that which one possesses and has exclusive control and right over, determined the spirit behind all ownership.¹⁹⁹ A hard working man and also a man who helps others are typically respected in the community and held in higher esteem. Therefore, children are frequently trained earlier in life to work hard in order to share their wealth with others and gain this recognition in the society. Some even work on their accord in order to achieve this respect. This desire for self-esteem and to help others especially the less privileged, could lead a child to involve himself or herself in one work or the other, and sometimes the unregulated ones. Furthermore, the child is taught quite early that there are certain relatives of his who also need help from him, and he has the duty and obligation to assist them. Contrasted with the Western upbringing of children, Nigerian parents emphasize more on hard-work through manual work, whereas the Western child is encouraged to individual initiative and to have a good basic education. For the Igbo child, however the pride here is in having to share and in being prepared to share one's goods with others... and this situation continues into adult life and even beyond it... Ancestral spirits expect to share in the goods of their descendants that must constantly be offered to them.²⁰⁰ Consequently, most children are involved in one type of work or the other out the strong desire to help the needy especially the less- privileged.

¹⁹⁹ Cf. Ike, Obiora., *Op. Cit.*, p.68.

²⁰⁰ Cf. Chinua Achebe, *Things Fall Apart*, p.102.

4.4.9 Solidarity through Works among Nigerians: Another persisting Factor that hinders the Prohibition of Child Labour

In Nigeria, there is a great solidarity exhibited through work. The concept of ‘Teamwork’ or ‘Communal Solidarity’ plays a vital and important role in the traditional Nigerian setting and also plays a significant role in unifying the people. This is evident in every aspect of their lives and especially in the area of work and worship. Chinua Achebe in his book ‘Things fall Apart’ portrayed so well this aspect of the lives of the people when he showed how the people of Umuofia community gather together in order to help someone to re-roof his house or to help someone who has large hectares of land in order to cultivate and plant yam seeds on his farm. This is also noticeable in community gatherings, feasts, etc. Children are also involved in this practice at very early stage in life. Sometimes they go extra miles to help out on their own accord in order to respect this team spirit.²⁰¹ This communal spirit was the reason for the famous saying among the people ‘united we stood and divided we fall’ that could also be called their philosophy of life. With this view in their hearts, they approach every issue in life and even about work. Inter-personal relationship was highly valued and was held in high esteem. This also was one of the reasons that brought about the belief in the extended family system. Thus: “Each family under subsistence conditions is too small to support itself, and it cannot depend solely on a sort of impersonal network. It needed a large kit and kin, distantly and proximately related kindred, descendants of recently living common ancestors and in-laws.”²⁰² This has a great influence on child labour.

4.4.10 Socio-Political and Religious Instability in the Country and their Effects on Child Labour

Another factor that has affected child labour in Nigeria among others is the unending social, political and religious instability. For over a decade now, Nigeria has been ravaged by crisis of devastating effects starting from the civil war of 1967 and its wide spread consequences, inter-tribal clashes, the perpetration of the militants of the Niger-Delta, and more recently, the senseless killings and bombing in the Northern part of the country by the Boko-Haram as experienced in Bornu state and some other major and minor crisis. It is very clear that areas

²⁰¹ Cf. *Ibid.*, p.103.

²⁰² Ike Obiora., *op. cit.*, p. 18.

ravaged by these crisis and problems, experience a rise in child labour to some significant degrees, because victims search for every means of survival thereby abandoning the young to their work and little effort for survival. Unfortunately, it is a pity that a country like Nigeria, being one of the most privileged in Africa in terms of natural resources and having the biggest economy in Africa and fondly called 'The Giant of Africa' is still unstable being swept by the winds of political crisis and a democratic system of government that is more of military dictatorship. Democracy, which is the supposed system of government in Nigeria, is rather a practical impossibility and a theoretical absurdity. Military dictatorship and Civilian oligarchy have been experienced in Nigeria since after her independence till today. There has always been an unending tension between the North and the South-East. There are always political and religious tensions in the Country. There is always a clash between the Moslems and the Christians, mostly in the Northern part of the country. There is always an unending dissatisfaction with the status-quo. The effects of these situations are: loss of lives, loss of houses and unemployment. Some children, who are victims of this situation, are involved in one type of child labour or the other. A clear instance of this situation is the menace of the Islamist sect known as 'Boko-Haram' in Nigeria. This group destroys lives and properties. The supposed dividends of democracy have been shared and distributed among the rich in Nigeria. The rich in this situation are the politicians, their families and friends. Most of them consider it wise to send their children to study in the West, mostly in Europe and America, where the system of education is right. They do so because the institutions in Nigeria are under-developed and suffer severe dilapidation, improper funding and lack of qualified teachers. To obtain a tenable education is very expensive, and public schools are not well managed. This is the reason why an average family in Nigeria for a long time had a good number of untrained or uneducated children. Worst still, is that this situation leads the children to continue to involve themselves in one type of work or another. Consequently, the parents in these average and lower class families, which are in the majority, introduce their children to one trade or the other because they cannot afford the training of their children in our schools. It is clear that the menace of child labour boils down to poverty level and lack of qualitative education for all citizens.

4.4.11 Natural and Environmental Disasters

There are two types of disaster: natural and manmade. Major natural disasters include flood, cyclones, cold waves, drought, thunderstorm, earthquake, heat waves, mudslides, storms, etc. On the other hand, manmade disasters include: fire outbreak, road accident, riots and demonstrations, food poisoning, epidemic, industrial disaster, crisis, deforestation, environmental pollution, building collapse, plane crash, chemical pollutions, wars, etc. Some natural and environmental disasters have equally contributed to the increase and perpetration of child labour Nigeria. Some disasters like the momentary wind disaster in the Northern Nigeria, where dissertation is gradually creeping in. Recently, affected towns by flood in 2012 have left some people homeless. Most of their properties, which are their only means of livelihood like farmland, marketable goods, properties at home, personal documents and other vital properties have left some people destitute. Such situations have evidently encouraged unregulated child labour significantly in many parts of Nigeria. Thus: Nigeria is located between 4°N and 14°N of the equator. The western frontiers run from 3°E and the eastern reaches nearly 15°E of the meridian. It is bounded by Cameroon to the east, Chad to the northeast, Niger to the north, Benin to the west and the Atlantic Ocean to the south. Nigeria has a federal form of government and is divided into 36 states and the federal capital territory. Nigeria has a population of over 175 million and covers an area of 923768 sq km. At its widest, it measures about 1200 km from east to west and about 1050 km from north to south. The country's topography ranges from lowland along the coast and in the lower Niger Valley to high plateaus in the north and mountains along the eastern border.²⁰³ It might be necessary therefore to say that not all disasters can be avoided, but proactive measures can be taken to avert large-scale casualties. For instance, some disasters were avoidable especially past ethnic and religious clashes that were influenced by selfish interest of individuals or groups and plane crashes as a result of technological malfunctions. Frequent oil spills in the Niger Delta and increasing threat of dissertation that could be addressed through political will of our leaders.²⁰⁴ All these factors force the child into labour and in most cases, the unregulated ones.

203 Cf. Sa'a Ovosi, Preventing Disaster in Nigeria,(Accessed June 15, 2014 from www.gamji.com/article8000/news8296.htm) Nigerians suffer significantly from various types of disasters. Disasters such as floods, landslides, tidal waves, coastal erosion, sand-storms, dust-storms, locust/insect infestations, oil spillage and other man-made disasters have claimed many lives in Nigeria and rendered many homeless. In general, Nigeria has a relatively weak economy with an under-protected and expansive environment. The contribution of these characteristics make Nigeria's environment especially vulnerable. C

²⁰⁴ Cf. Ibid.

4.4.12 Traditional Apprenticeship as one of the factors hindering the Abolition of Child Labour in Nigeria

The phenomenon of work belongs ontologically to man. Man started his life by first of all studying his environment, learning what and how to influence and change his environment through work. This constant drive to explore his environment is natural to man. He started with the basic working instruments such as axe for hunting and farming, and also other activities such as divination (the practice of seeking to foretell future events or discover hidden knowledge by occult or supernatural means), fishing etc. Work was handed down from one generation to another, through the process of indigenous education (for instance, from master to servant, from teacher to student, from father to son, from mother to daughter). Learning skills to work in the school was not in practice then, and most people still believe that this way of imparting knowledge remains the best for the child till today. Reasoning along this line of thought, Adekola quoted Osotoya, thus, that: “all learning activities were an integral part of the indigenous education learnt through observation, imitation and constant practice. The idea of organized and progressive training was not known. The youths then were compelled to learn family work because the opportunity to learn any work outside one’s family was almost not available.”²⁰⁵ Later things changed. With the penetration of the Europeans into Africa, many new types of jobs that were the result of an industrial revolution in Europe were introduced to Africans. New fields such as painting, mechanic, bicycle repairing, driving, printing, etc. became known. As a result of the increase in awareness through civilization, the era of family monopoly of a particular work type started to be a thing of the past. The idea of choosing a particular job outside the family began to gain prominence. Thus, parents began sending their children and wards to people who are skilled in such job selected by the children with the consent of their parents for onward training. This period marked the beginning of apprenticeship in Nigeria.²⁰⁶ Apprenticeship is defined as the “process of learning skills acquisition through enlistment with a master craftsman. It is a method of developing craftsman.”²⁰⁷ For Michael Bourdillon “individuals may learn a particular trade or career through formal or informal apprenticeship, in which the student

²⁰⁵ Adekola, G. Traditional Apprenticeship in the Old Africa and Its Relevance to Contemporary Work Practices in Modern Nigerian Communities, *Nigeria in British Journal of Education, Society and Behavioural Science*, 3(4): 397-406, Britain, 13th July, 2013, p.389(He is of the Department of Adult and Non-formal Education, University of Port Harcourt, Nigeria)

²⁰⁶ Cf. Ibid.

²⁰⁷ Ibid. p.399

moves from observation and peripheral participation to full and guided participation in the activities of the craft under the guidance of an established master.”²⁰⁸ It was the principal form of education for going into any profession or occupation (learning trade, Mechanic, etc), a system whereby a child or a young person of early stage in life (may be from 10 years) or after primary school education (may be 12 years) goes to live with a master craftsman who then will teach him the skill of a profession for many years, sometimes 5, 6, 7, 10 or more. After these years, he can then be allowed to start his workshop or business through the help of a master craftsman and the support of the parents or friends. Within this period of apprenticeship, the child also helps the teacher with the standard family work. For example, he helps the master or the wife with some work in the family and also outside the family to do some domestic work in the farm. Worst forms of child labour are practiced in this system. Discussing more on the issue of apprenticeship, Adekola writes further that “the process of apprenticeship system in the traditional society started with the child chosen a career of his or her own choice with the help of the parents or the approval of the parents after due consultation with the oracle. When this had been done, the child would then be enlisted with a master craftsman of the parent’s choice. Such craftsman has the opportunity to accept or reject such potential apprentice. On the acceptance of such apprentice, the term of the agreement will be sealed by the parents and the master craftsman. This oral agreement usually cover issues like duration of apprenticeship, residence of the child during the period of apprenticeship (whether in the parents’ house or with the master) feeding and other welfare schemes.”²⁰⁹ In this process, the child learns through observation, imitation, assistance and trial and error method. In fact, there was no formal process of teaching. Adekola quoting Fafunwa said that “the apprenticeship system does not encourage questioning or offer of suggestion by the apprentice. The master craftsman teaches and establishes his authority on learning and the learner in an autocratic manner. Also, there are no standard regulations guiding the process, except what the master craftsman sets.”²¹⁰ This implies that the master is free to force his personal activities as it pleases him and in most cases it was disadvantageous to the apprentice. Thus: “The traditional apprenticeship system in the indigenous Nigeria involves hardship, commitment and discipline especially on the part of the apprentice. Success or failure of the apprentice depends on how fast he learns from a master craftsman, his endurance, patience and determination. The extent of skill, knowledge and expertise acquired

²⁰⁸ Michael Bourdillon et al., *Rights and Wrongs of Childrens Work*, p. 130.

²⁰⁹ Cf. *Ibid.*

²¹⁰ *Ibid.*

also depended on how much the master himself knows.”²¹¹ The age limit varies as we have said earlier. The duration of apprenticeship varies from one profession to another and it also depends on how fast the apprentice learnt the skills of this profession and above all the evaluation of the master, who affirms that he has learnt the profession. At the completion of apprenticeship, a ceremony was frequently organized to wish this apprentice well in life and then both the master craftsman and the child’s family will support him financially or otherwise to begin his own. However, the apprenticeship system in Europe is different. According to Hansen “the apprenticeship system provided training in skills by a master craftsman in exchange for labour. In spite of some decline in the nineteenth and twentieth centuries, the system remains in a modified form in Europe.”²¹² Similarly, it was reported in Germany that “the current apprenticeship system links into the system of formal schooling. Typically, the apprenticeship starts at the age of sixteen or older. The apprentices receive a low wage for their work, which underscores the fact they are still primarily learners rather than workers. While they receive training at work in a particular occupation under an experienced craftsman with teaching qualifications, they also spend one or two days each week in school. The state pays for the apprentices schooling and the salaries of their teachers.”²¹³ So, the difference between, the apprenticeship system in Europe is quite different from apprenticeship system in Africa. In Africa, apprenticeship system gives room for exploitation of children and above all, it is not regulated.

4.4.13 Effects of Colonialism on the Nigerian Situation

Some of the problems that Nigeria is suffering today are as a result of Colonialism. Obiora Ike describes this situation that “because of the colonial economic system with foreign firms such as BP, Shell, John Holt, Royal Niger Company, National African Company, all operating within the territory and carting away its raw materials to Europe.”²¹⁴ He further maintained that “independent Nigeria inherited an economy that was in 1960 structurally engineered to be dependent on and manipulated by the International Money markets of

²¹¹ Ibid.

²¹² Hansen Hal, “Apprenticeship” in Fass, P. S. (ed.) in *Encyclopedia of Children and Childhood* in History and Society, New York, 2004, pp.64-66.

²¹³ Hansen Hal et al., “Adolescent part-time employment in the United States and Germany” *Diverse outcomes, contexts and pathways* in Mizen, P., C. Pole and A. Bolton(eds.), *Hidden Hands, International Perspectives on Children’s Work and Labour*, London: Routledge Farmer, 2001, p.133-136.

²¹⁴ Ibid., p.162.

Western Europe. This dependence and the vulnerability attendant to it made many young Nigerians see in Government work, even after the colonial era service to a bourgeois institution that does not merit it.”²¹⁵ He further argued that civil service at this stage was grossly misunderstood. It was not seen as service to the nation, rather as a source for getting one’s share of the national Cake and a great opportunity to enjoy the national money. Therefore many people are prone to look at what belongs to the government as ‘no man’s land’ and ‘no man’s property’. Just grab as much as you can. With this kind of mentality and attitude, people render selfish and unsatisfactory service to the nation.²¹⁶ Francis Cardinal Arinze describes this situation aptly that: “the colonial power was not loved and was served with less than total dedication. Government business was regarded as nobody’s business. Government funds were considered to be limitless. This mentality had damaging effect on work attitudes.”²¹⁷ This is the mentality that is still destroying the country till today. We can immediately deduct from the above statements that work serves the good of a foreign power primarily, and not for the benefit of the workers. The interest of the workers is just secondary. This system favours the interest of a foreign power and not the interest of their workers. As a result, work was done without a dedication. Similarly, with the arrival of the British Government in Nigeria, certain things wore a new look in the agricultural world of the Nigerian farmers. Worthy of note is that, it created a big problem for the local farmers. Obiora Ike captured this new phase thus:

(i) Cotton, a basic crop grown in the Northern Nigeria, was no longer to be grown exclusively for home use and manufacture but primarily for export.

(ii) Export crops were being emphasized in every part of Nigeria such as groundnuts, cocoa, beans, cashew and peanuts.

(iii) New roads, railways and transport facilities were constructed in a way that disregarded the old links in traditional communication system. Instead, new systems of transportation and waterways were brought into existence so that the Nigerian economy could easily be directed into channels directly leading to Europe. These roads connected only the areas where there were raw materials for Europeans markets. A look into the old maps of Nigeria testifies to this

²¹⁵ Ibid., p.170.

²¹⁶ This implies that people always expect what they will get from the government and not what they will offer to the government. There is strong negative ‘utilitarianism’ in people’s attitude towards national service and government work. The reasons are clear, and in the historical situation understandable. Cf. Ibid.

²¹⁷ Arinze, A. F., “The Encyclical *Laborem Exercens* in the context of Africa” in a (paper at symposium: From *Rerum Novarum* to *Laborem Exercens*- Towards the year 2000), Rome, 3-5. April 1982, Pontifical Commission “*Iustitia et Pax*”, Vatican City, *The Christian and Politics*, publ. in Nigeria, 1982, p.211.

fact.”²¹⁸ The consequences of this ugly situation were numerous. The workers could no longer sell as they were compelled to work for their colonial masters. Surely, they did not like this type of labour and would have easily neglected it, but they did it, in as much as their daily bread depended on it. The implication is that the hired labourers were at the mercy of their lords and masters, could be fired anytime, were badly paid, or at times did not receive their salaries at the proper time. Sometimes, they were beaten by their colonial masters, were abused. They still have bad reminiscences of these times. National work was understood in this case in another sense and was, therefore, looked upon with suspicion; as the work for a foreign body. This attitude, however, is still in practice today in all levels.²¹⁹ It would still take more time till an optimal appreciation of the work is reached.

4.5 The kind of Work Children do in Nigeria and its Effects

In the traditional Nigerian society, children are taken to farm lands at very early age in life, about seven or eight years old or even younger. It is accepted that those that will be industrious in the future usually show this sign very early in life. The boys acquire some yam seeds from their fathers and start to plant for themselves. By so doing, they learn to care for themselves and also for their families when they are of age. G. T. Basden confirmed this practice thus: “In the season, boys accompany their elders to the farms, and get an insight into the business of raising produce, the amount of work actually done by them varying according to the disposition and circumstances of the parents. They are also called upon to help in building operations; the task usually allotted them being to carry the lumps of puddled clay from the pit to the builders. They become useful whilst still extraordinarily young, assimilating an incredible stock of practical knowledge. They become familiar with certain aspects of bird, animal and plant life, but cannot be characterized as observant of things unconnected with their own personal affair.”²²⁰

On another note, the girls join their mothers in wedding the farmlands and some domestic works at home. In doing so, they learn how to be good wives in the future. On this, Basden says that “a girl who is considered to make a good wife is one who is not shy of work and

²¹⁸ Ike O., op. Cit., p.172.

²¹⁹ Cf. Ibid.

²²⁰ Ibid., p.66.

who will go for water and firewood, who will cook and go to market.”²²¹ They fetched water, washed the plates, fetched firewood together with their brothers and kept the house tidy. G.T. Basden also remarked that “...girls take a share in the household duties. They begin by carrying water, collecting firewood, rubbing floors, assisting in the preparation of food, and then, later on, accompanying their elders to the markets where they are initiated into the technicalities of trade.”²²² Talbot Amaury expressed the fact that this practice has been in the Nigerian society from the onset. He argued that “children are taken to farm by their mothers from the earliest age, and begin to work as soon as they are able to weed or to wield a matchet – say from six to ten years old, while girls begin to fetch water at the same age and both sexes to carry small loads from the farm to the house.”²²³ Children are taken into labour from childhood as a result of poverty.

4.6. Causes and Consequences of Child Labour in Nigeria

Nigeria, the most populous nation in Africa with about 175million inhabitants suffers high rates and incidences of unregulated child labour. According to International Labour Organization “of the 191million children aged 5-14years engaged in economic activity throughout the world in 2004, more than one third of these-74.4million are considered to be involved in employments which are hazardous to their physical and mental health.”²²⁴ Statistics has shown that about 30 percent of children aged 10-15 in Nigeria are engaged in economic activity. Thus “the great rapid growth of less developed countries, high rates of unemployment, inflation and low wages have contributed to the occurrence and necessity for children to engage in economic activity.”²²⁵ Child labourers are mostly female especially in urban areas in Nigeria, thus “they begin to work as early as age of seven; and work for an average of 4 hours a day in order to contribute financially to the sustenance of the family and to acquire training needed in future occupations.”²²⁶ These children are mostly from large households of about six persons, where many of their parents have low levels of education,

²²¹ Ibid., p.90.

²²² Ibid.

²²³ Talbot Amaury., *The Peoples of the Southern Nigeria*, Vol.II, London: Frank Cass & Co. Ltd,1969, p. 389.

²²⁴ Cf. International Labour Organisation: *On Child Labour in 2006*.

²²⁵ Lopez-Calva “Child labor: Myths, Theories, and Facts.” in the *Journal of International Affairs*, 2001, 55(1): 59-73.

²²⁶ Dimeji Togunde, “In Their Own Words: Consequences Of Child Labor in Urban Nigeria” in *Journal of Social Sciences*. Volume 16, 2008 Arielle Carter Department of Anthropology/Sociology, Albion College, Albion, Michigan 49224, USA, p.1.

income and occupational statuses. They are sometimes involved in motor accidents, attempted kidnapping for rituals and rapes and other sexual molestations. For Dimeji Togunde “some are invited by gangsters to participate in the robbery and anti-social activities. Others suffer from physical exhaustion and pain due to frequent long works. These health problems have detrimental effects on children’s school attendance, punctuality, school performance and leisure time.”²²⁷

4.6.1 Consequences of Child Labour in the Industrial Sector

Another major cause of child labour in Nigeria is the issue of globalization. Adverse effect of globalization is more visible in Africa especially in “service –oriented sectors such as communication and retail trade within and outside the household. As a result, children are engaged as street hawkers, hustlers, vendors and domestic servants.”²²⁸ Globalization with its effects on the economy has led to the longing for cheap labour and profit maximization. The consequences of this situation, is the exploitation of children in doing hazardous works for several hours with low income. This hazardous conditions often experienced by children have led to physical consequences such as: malnourishment, dangerous diseases, disorders from heavy labour, physical and sexual abuse, exposure to toxic agents and prolonged working in hazardous conditions. Socially, children working in industries experience negative consequences about their education and developments. All these negatively affect the mental and the health condition of the child. Hassan commented on this issue, thus: “Children engaged in hazardous industries have been observed to suffer from oral abuse from their employers, consistent fear of job termination, low self-esteem and a loss of imagination and future direction in life.”²²⁹

4.6.2 Consequences in the Agricultural Sector

Mostly in rural areas of the country, children are engaged in agricultural activities such as some children work in farm and fields outside the family as hired labourers. This has a very negative effect on the children involved, namely due to long hours of work in fields, physical

²²⁷ Ibid.

²²⁸ Ibid., p.1.

²²⁹ Hasan, M., et. al, “Issues and Problems of Girl Child Labour in India and Bangladesh” in Journal of Indian Anthropology, 2000, 35: 255 70.

exhaustion, etc. Children are also exposed to some toxic pesticides and herbicides. Some of them are sometimes beaten by snakes and some dangerous animals or pests. These situations affect the child's mental well-being. On the area of school attendance and performance, it has been discovered that "in the region of Africa, particularly in rural Nigeria, it has been detected that child workers engaged in farming have lower school attendance to their urban working peers."²³⁰ Other instances are many as we see as we go on.

4.6.3 Consequences in the Sales and Service Sector

In this case, children are involved in sales and services, both in the rural and urban areas of the country. They normally work as street hawkers or maids, car washers, windscreen cleaners at Petrol stations and at traffic jams, hawkers, vendors, domestic servants, beggars, fruits, food and snacks sellers in the streets etc. Some children are victims of this situation as a result of the fact that they quarreled with their parents or guardians and immediately ran away from their homes and decided to care and fend for themselves. Some do this intentionally in order to help their parents or guardians financially or not to be dependent on anybody. This situation so to say has its own devastating effects and consequences namely; some of them normally suffer rape, physical and sexual exploitations and abuses, accidents, molestations, malnourishment and above all, some end up involving themselves in dangerous activities such as: armed robbery, drug trafficking etc. Similarly, they suffer some mental problems and psychological problems such as stress and irritability, anti-social behavior, drug addicts, etc. Moreover, this also has a negative effect on education namely; poor school attendance, grades and performances. Worthy of note is that among these three sectors, the detrimental effect is more in the industrial sector.

4.6.4 Consequences of Child Labour in Nigeria with Graphs and Analysis

Graphs will be used here to demonstrate the devastating consequences of child labour in Nigeria. "Table 1: Socioeconomic and demographic variables characteristics of the parents and children"²³¹

²³⁰ Robson E, "Children at work in rural northern Nigeria: Patterns of Age, space and Gender" in the Journal of Rural Studies, 2004, 20: 193-210.

²³¹ Dimeji Togunde, op Cit., p.177.

Table 1: Socio-economic and demographic variables characteristics of parents and children.

	Frequency	Percent
Sex of Child		
Male	674	43.9
Female	861	56.1
Child's Age by Years **		
8	40	2.6
9	68	4.4
10	166	10.8
11	119	7.8
12	283	18.4
13	337	22.0
14	522	34.0
** Average Age of Child = 12.3 years		
Age when Child Started Working**		
7	373	24.3
8	296	19.3
10	408	26.6
11	233	15.2
12	172	11.2
13	37	2.4
14	16	1.0
**Average age when work started = 9.37 years		
Child's Parent Family Structure		
Nuclear	1124	73.2
Extended	411	26.8
Child's Type of Household Monogamy		
Polygamy	500	32.6
Size of the Child's Household**		
0 – 4	272	17.7
5 – 9	1187	77.3

10+	76	5.0
**Average Household size = 6.09 Persons		
Total Number of Children in the Household**		
1	42	2.7
2	167	10.9
3	360	23.5
4	458	29.8
5	282	18.4
6	152	9.9
7	48	3.1
8	14	0.9
9	6	0.4
12	6	0.4
**Average Number of Children = 4.0 Children		
Number of Children Working in the Household**		
1	769	50.1
2	509	33.2
3	197	12.8
4	46	3.0
5	14	0.9
**Average number of Children working = 1.7 (approximately 2)		
Parental Education		
Primary / Elementary	617	40.2
Modern School / Secondary	266	17.3
Post secondary / Grade two / Polytechnic / NCE / College Education	405	26.4
Drop out / No Education	247	16.1
*National Certificate of Education		
Parental Occupation		
Trading / Business	507	33.0
Services (Hairdressers, Tailors)	592	38.6
Admin / Management / Professional / Teachers	436	28.4

Parental Income per Month		
Below ₦20,000	1243	81.0
₦21,000 – ₦40,000	178	11.6
₦41,000+	114	7.4
<i>₦ denotes Nigeria's Naira Currency</i>		
Parent's Reasons why Child is Working		
Training so that he / she learns about Business early in life	155	10.1
Financial Contribution to the Household Consumption needs	1380	89.9
Child's Reasons for Working		
Make additional Money (for parent for feeding / Education)	1007	65.6
Working is important Training (prepares me for Future)	528	34.4
Child's Hours of Works per Day		
1	18	1.2
2	165	10.7
3	391	25.5
4	660	43.0
5	188	12.2
6	113	7.4
**Average hours of work per day = 3.76 (approximately 4 hours)		
Types of Activities Child is Doing Services		
(domestic servant, carwash, etc)	153	10.0
Sales (selling, hawking of food stuffs, etc)	1382	90.0
Child's Income per Week		
<₦1.000 / not applicable / unknown / unstated	515	33.6
₦1.101 – 1.500	82	5.3
₦1.501 – 1.999	116	7.6
₦2.000	822	53.6
**₦ denotes Nigeria's Naira Currency		

The table above shows that more than half of the working children in Nigeria are mostly the female ones. The average age of the working children is normally 12, and they normally start work at the age of 7. But recently, the working age of children is normally at ten years and some start at the age of 12 years. Worthy of note is that, the majority of the working children come from nuclear and big families. On this, Dimeji said: “large proportions of the children come from both nuclear and monogamous households. Furthermore, households are relatively large, comprising of six persons on average per household. Within the households, an average of four children is present and out of which about two are engaged in economic activities.”²³² As a result of this situation, the total family income will not be enough for all the members. Therefore, this ugly situation makes it easy for unregulated child labour to take place. Secondly, the social and economic status of the parents, about their basic education and income varies in various degrees from as shown from the child above. Not having good basic educational background is also one of the major causes of unregulated child labour. From the table above, it is observed, that “4 out of 10 parents had obtained an elementary education, only 1 out of 4 had received post-secondary education...While more than two-thirds of the parents engage in trading and services, the remaining 28.4 percent are employed in administrative and professional occupations that indicate their higher education.”²³³ This situation reflects very well in the income of the parents. More than 60 percent of the parents earn less than 30,000 Naira per month. Some earn 5,000, 10,000 (those who work as security men in industries and offices in big towns or cities). While those who work as security men in a rural area earn, less some who work in industries earn 15,000- 20,000 naira in rural areas. He argues further that “the low earning power of the parents is a reflection of the deteriorating economic situation in Nigeria, which unsurprisingly has led many households to utilize labour of their children in order to augment the family income.”²³⁴ It is very normal in Nigeria that in many families where the parents are illiterates, education is not normally encouraged, or it receives the least of encouragement and attention. This is so like I have said earlier in the introductory chapter that, these problems that led the child to work should be handled very well at the first instance. Similarly, children who are involved in work have a similar problem like their parent about income. Some children who work in the industrial sector in urban areas (town) receive about 2,000 per week with about four working hours in a day while their counterparts in rural areas (villages) sometimes receive less. In this case, the earn more than

²³² Ibid., p.176.

²³³ Ibid.

²³⁴ Ibid

in other sectors. Those who work as street hawkers and vendors earn less. But, the argument is that their incomes are a great relief in their families and constitute a greater percent of the family income.

Table: 2. Consequences of Child Labor As Reported by Children ²³⁵

	Frequency	Percent
Dangers Experienced by Child at Work		
Attempted Kidnapping	208	13.6
Accidents (hit by Car, Motorcycles, etc)	529	34.5
Rape / Sexual Molestation / Assault	177	11.5
Robbery (losing Money to thieves)	87	5.7
Keeping bad Company	350	22.8
No Danger	184	12.0
Number of Days Child is absent from School in a Week		
1 day	211	13.7
2 days	118	7.7
3 days	41	2.7
None	1165	75.9
**Average Days absent per Child = 1.54		
Reasons why Child is absent from School		
Tired / Sick due to long distance walking as a result of work	267	72.1
Parents ask Child to work	103	27.9
Is the Child late to School?		
Always	55	3.6
Sometimes	690	45.0
Never	790	51.4
Reasons why Child is Late to School		
Has to Work before going to School in the Morning	393	52.7
Too tired / not feeling well	244	32.8
Long distance Walk to School	108	14.5

²³⁵ Ibid

Does Child have time for School Work?		
Yes	672	43.8
No	863	56.2
Do you have enough time to play with your Friends or Siblings?		
Yes	507	33.0
No	1028	67.0

The table above portrays the problems they encounter while working. Some children have encountered serious and dangerous problems during the work. Some of these problems have affected all through their life time. Some who work at the industrial sectors have experienced accidents with the machines they are working with because there were no proper instructions on how to use these machines and sometimes some of them suffer sexual harassments and abuses by their employers and co-workers who are adults. Those who work as vendors and street hawkers also experience accidents and harassments on the roads. Sometimes they are involved in motor accidents or motorcycle accidents. Those who work in the farms are sometimes beaten by snakes, dangerous animals and dangerous insects and are sometimes exposed to direct heat of the sun.

It will be good at this point to analyze the reports of what the children experience during work as reported by Dimeji Togunde that John, a boy of 9 reported, thus: ‘I got hit by car and motorcycles when I want to cross the roads. Bola, a girl of 12 years also said: ‘I have been knocked down by the Okada motorcycles and cars severally times behind, and that makes my daily job as a child hawker very scary. Similarly, Sola, a boy of 11 years reported: ‘Sometimes a strange car would pull by my side and ask me to enter the car. When I run, some of my items will fall off from my head. On another note, Leide, a girl of 10 reported: ‘Two men wanted her to follow them by promising to give her a huge sum of money (5,000 Naira)²³⁶

In most cases, a good number of these children are raped, sexually harassed, abused and molested, and are sometimes they loss their selling articles like fruits, bread, etc. Here are many other reports of unregulated child labour events in Nigeria as reported by the Vanguard Newspapers, June 1, 2013 in Lagos with the caption: **If we don't hustle, we don't eat, by Opeoluwani, Ogunjimi (et al.)** Ten year old Musa is one of those Nigerian children who were

²³⁶ Cf. Ibid.

born into life's harsh realities. Having left his parents who reside in Kaduna at a tender age, he began to cater and find for himself. Accompanied by his 15-year-old elder brother Ahmed whom brought him down to Lagos, they join forces as shoe repairers near a pedestrian walkway in Mushin area of Lagos. From their garage abode, they resume work as early as seven in the morning to hustle for at least N100 for breakfast. With regard to lunch and dinner, he said that only Allah can determine that by sending us customers. At end, he in a sad mood that If we don't hustle for money, we don't eat.

Similar to this is another story from Biodun, an 11 year old boy who said that I fend for my family and also has his share of hardship to contend with. His wish is to become a medical doctor but for the untold hardship, he keeps wondering how his dream will come to reality. Obviously tired as a result of hawking sachets of water, which had already lost its chilly nature, he sits on the floor under the scorching sun, probably whiling away time before going home, trying to make both ends meet. Refusing to look into the camera during the interview, he narrates how he has to fend for his parents who are without jobs. He began by saying, my name is Biodun. I'm nine years old. I school at Ajegunle and I am in primary five. I don't go to school every day because I have to hawk pure water for my parents. My mother is at home because she doesn't work, but I don't know what my father does for a living. I like it whenever I see medical doctors in their uniforms saving lives. But how do I become one of them when my parents can hardly provide three square meals?

On another, my daughter was a victim of sexual abuse as narrated by **Mrs. Okafor**. According to Mrs. Okafor, a parent and entrepreneur, she spoke with the utmost passion, saying her daughter was a victim of sexual molestation. Because of the nature of her work, she seldom spends enough time with her child. She would leave her in the care of a neighbor whose brother was so sex driven and experimented on her daughter. Mothers should never turn a blind eye to their children's predicament, especially their daughters because it's their responsibility to monitor what revolves around them. She also said that most parents like herself are to be absolved for the helpless conditions their children face. She advised that parents should always provide enough basic needs for their children, so they don't indulge in the act of stealing or begging from others.

Abused children are products of poverty - **Mrs. Chinwe**. To Mrs. Chinwe Madu, some of the abused children are products of poverty as no normal woman will like to see her child suffer. In her words, "There is no way a woman will suffer for nine months, give birth only to subject

a child to suffering. It is not done'. But in this case, the children need to help their parents to take care of some of the family needs though it is not their civil responsibility to do to. But as a child, it would be unfair for you to sit and watch your parents suffer so much when you know you can be of help to them. I think this is one of the reasons why there is a higher rate of child abuse now in the country, especially in big cities like Lagos and Ibadan', she said.

Chinwe then narrates an ugly experience she finds difficult to forget. The sad incident happened where she resided here in Lagos. To her, if Bose (deceased) had the premonition that living her aged mother back in Togo to live with her divorced aunt here in Lagos, Nigeria will bring her shame, she would have stayed behind. Bose, 12, left her widow mother back in Togo for Lagos to acquire a sound education. But instead of her to be enrolled into a school, she was forced to take up the role of the bread-winner that subjected her to several abuses. She woke up every day by 5 am, goes out to hustle and returns in the evening to provide for her aunt and three children. But whenever there was nothing she could do to raise money for their daily meals, she involved herself in prostitution. Not only that, she was used by her aunt to satisfy her sex starved customers who would pay her between N50 to N100 after touching and fondling with her body. And a refusal to yield to her aunt's instruction earns her some strokes of the cane and sometimes food denials. But when she eventually got pregnant to Saidu, 14, she was bundled back to her mother in Togo. Saidu happens to be another product of child abuse.

Mrs Adelabu, who is also a mother of many children and street hawker, said she can't control the present condition her children are facing. She lamented that ever since she lost her husband in a fatal accident years ago, it has been difficult bringing up the children all by herself. She couldn't afford to send them to school thereby relying heavily on the little she makes from her sales. She sometimes says her heart becomes painful whenever she sees other children going to school and prays someday things would be better for her children. Sometimes, according to her, her daughter would come home crying saying that she was beaten up, or worse harassed by thugs without being paid for what was purchased.

Wada Yemisi said that there is a need for children to be nurtured and assisted. She is of the opinion that childhood is a unique period of rapid physical and psychological development during which young people's physical, mental and emotional health and well-being can be permanently affected for better or worse. This is why Children's Right Law is important because children are the future of the nation. In general, there is a need for them to be

nurtured and assisted to develop into responsible and productive adults, who will take over the administration of the society later. Under the Law, the child is conferred with rights to life, survival and balanced development. Therefore, issues relating to their dignity, respect, health, leisure activities, their freedom and protection from all forms of abuse and exploitation should be addressed. Nigerian children suffer and it is so unfair. The Child Rights Act has only been ratified and passed into Law in a few States in the Country, and I am glad Lagos State is one of these states. The reasons why they haven't been adopted in others is the same reason abuses are reigned on women in different parts of the country in the name of culture. They claim the Child Rights Act is alien to our Culture. There is great corruption in the land, and again the most vulnerable are the children. The funds to provide Healthcare, sound Education, Security are misappropriated, and these basic needs of children are not met. And for those of us working with children raising funds, it is like getting blood out of stone, she lamented.²³⁷

Moreover, there have been also many other reports and many cases of kidnaps and in the end, some of these children are used for rituals by some ritualists and occultists. Some have ended up losing their private parts, etc. For example: **Taiwo**, a girl of 13 narrates her story that, at a time, some men would pretend that they want to buy things from her, but later would end up touching her. This situation tends to be uncomfortable and discouraging for her, she narrated. **Kehinde**, a girl of 14 reported: 'I was raped twice and became pregnant on one occasion by two men, who dragged me inside. My parents aborted the pregnancy so that it wouldn't ruin my education. **Tolu**, 11-year-old boy said: 'Touts and gangsters would come to me and ask me to smoke Indian hemp (marijuana). Sometimes, they would ask me to join them in their activities. Other instances are many.

In another case about school attendance, it has reported that child labour has affected school attendance seriously. Some children do not go to school, some come very late and some are very weak when they come to school as a result of long working hours they had. Some miss school because their parents instructed them to sell some foodstuffs or fruits, instead of attending school every day. Some are late because they must have to do one thing or the other before coming to school. On a more serious note, some children were asked the reasons why they come late to school, not coming at all and the reason of bad performances. They gave various answers like the ones we have already stated above. They were further queried

237 Cf. Opeoluwani Ogunjimi et. al., "If we don't hustle, we don't eat" in Vanguard Newspapers of Saturday, Nigeria, June 1, 2013.

regarding opportunities for doing homework after school. Just a little over 40 percent said that child labour does not hinder their time for home work. The fact is that 6 out of 10 children feel that child labour does not afford them enough time to do their homework and lends credence to the opinion that child labour reduces human capital formation and development.²³⁸ **Dimeji** having a view contrary to the above mentioned reasons said that, “child labour does impede children's leisure time and recreational activities. But in an attempt by some children to play, many squeezes in their recreations during their hawking period.”²³⁹ Conclusively, “the low parental socioeconomic status invariably creates a situation whereby most of the parents tend to rely on their children’s labour as a means to contribute to the economic survival of the family. The need to supplement of the financial well-being of the family is echoed by many of the children as a major reason for their participation in economic activities at such tender ages.”²⁴⁰ We can then summarise this section in the words of Togunde Dimeji that “evidently, the negative effects of child labour are disturbing. But it is difficult to advocate its eradication right away because of its financial benefits to the household and its potential future occupational training for the child. In a rapidly growing society such Nigeria, where poverty is widespread, child labour has become a systematic avenue for arguments parental income.”²⁴¹

4.7 Assessment of Child Labour against the Background of Human Dignity and Children’s Rights

In this section, an assessment of child labour situations in Nigeria against the background of human dignity and children’s rights will be handled. The right of every child is to be a child. Thus, children should be made to enjoy their childhood. Children are future citizens of the Nation and their adequate development especially for the future is of utmost priority of the country. Unfortunately, child labour engulfs children across the country as we have seen. So, it will be good to point out immediately that what human dignity and child right do for the child, child labour violates or infringes. Child labour therefore is not a recent reality in Nigeria but has been there and tolerated for quite a long time. This is as a result of the fact that these situations that caused it are not getting better and that is why it is difficult to solve

²³⁸ Cf. Dimeji Togunde, op. Cit., p.178.

²³⁹ Ibid.

²⁴⁰ Ibid., p.179.

²⁴¹ Ibid.

them as we have seen in this chapter and the preceding chapters. Worthy of note, is that the policies and strategies regulating child labour exist, but lack of proper application and enforcement of these policies and strategies perpetuate child labour and infringe on the dignity and rights of the child.

We have also seen from the preceding chapters, that many children in Nigeria are trapped in child labour, depriving them of their childhood. Their health and education are in great risk, and constraining them to a life of poverty and want. They are forced to working condition that is not good for normal and healthy development. This is a violation of their rights. Of course, any form of labour that endangers a child, denies him or her, the right to education, a right to enjoy his childhood or exposes the child to illicit activities that are harmful to his or her healthy development, belong here. We have seen in this chapter and the preceding chapters also, how child labour in its worst forms in Nigeria has resulted in many issues, such as: criminal acts, drug addiction, prostitution, etc. These worst forms manifest themselves in violations of a nation's minimum Age laws; threats to a child's physical, mental, or emotional well being; intolerable abuses such as child slavery, forced labour, or hazardous working conditions; illicit activities such as drug and contraband trafficking or debt bondage; and work that prevents a child from going to school.

The difficulty of tasks and harsh working conditions create a number of problems such as premature ageing, malnutrition, depression and drug dependency. These children have no protection. Their employers do whatever necessary to make them completely invisible and are thus able to exercise an absolute control over them. They are made to carry load heavier than they could bear and given money not commensurate to the weight of the load. The girls become victims of sexual exploitation. These children work in degrading conditions, undermining all the principles and fundamental rights based in human nature.

Child labour therefore endangers a child's dignity and morals, especially when sexual exploitations and other exploitations are involved. These children are often victims of physical, mental, and sexual violence, sometimes constrained to the longest working hours and are the worst paid of all labourers. Similarly, those activities involving cruel, inhuman and degrading treatment, those affecting his education, etc are also included in this case. Moreover, many children can simply be classified as "hidden workers" working in homes or secret places. Child labour violates human rights, and is in contravention of the International Labour Organization (Article 32, Convention Rights of the Child).

From another perspective, children who are victims of child labour as a result of poverty have no protection and are exposed to worst conditions. Their employers do whatever that is possible to exploit them to any level because they have absolute power and control over them. Additionally, a child who works will not be able to have a normal education and will be doomed to become an illiterate adult, having no possibility to grow in his or her professional and social life as we have seen already. It will be good at this point to see how child labour affects education and schooling in Nigeria as an example.

4.7.1 Child Labour and Poor School Attendance in Nigeria

On the issue of unregulated child labour and the poor school attendance, Obayelu Abiodun Elijah (et al) said: “Despite the child trafficking, the child labour laws and educational enforcement provisions that are in force in Nigeria, many are still violating them. As of November 2002, no recent child labour inspections had resulted in fines, penalties, or convictions. Investigations of child trafficking are hampered by corruption among government officials, and commercial sexual exploitation of children is still very common in many cities in Nigeria. The country is found not only as source and transit but as a destination country for trafficking children. Children are trafficked to and from Cameroon, Gabon, Benin, Equatorial Guinea, Togo and other West African countries to work in agricultural enterprises, as domestic servants, prostitutes or in other forced labour conditions and at time girls are sometimes sold into marriage. This has been particularly pronounced in eastern Nigeria and some southern states.”²⁴² Even though, recent school attendance rates are unavailable for Nigeria but while enrolment rates indicate a level of commitment to education, they do not always reflect a child’s participation in school.

Similarly “gross primary school enrolment declined in Nigeria from approximately 86.2 percent in 1993 to 70.3 percent in 1996 [UNESCO (2000)] and the ratio increased in 2000-2004 to about 118.5 (see table 1)²⁴³ Also shown in the table is that the gross and net school enrolment and attendance in Nigeria. Dropout rates for both males and females in primary school remained high, around 10 to 15 percent between 1990 and 1994 for each level of education. Only 64 percent of the students in primary school completed grade five, and only

²⁴² Obayelu Abiodun Elijah et. al, op. Cit., p.7.

²⁴³ Cf. Ibid.

43.5 percent continued on to junior secondary school.²⁴⁴ Also there are reports of a bias against girls' education, particularly in rural and northern areas of Nigeria that only 42 percent of rural girls are enrolled in school compared with 72 percent of urban girls and that in the north, girls are often withdrawn from school and placed into early marriages, domestic and agricultural labour or commercial activities such as trading and street vending.²⁴⁵ Statistics of school attendance in Nigeria at a glance as shown by UNICEF(2005) Nigeria- Statistics at glance: Basic indicator Number :

Primary school enrolment ratio (2000-2004) gross male 132.

Primary school enrolment ratio (2000-2004) gross female 107

Primary school enrolment ratio (2000-2004) net male 74.

Primary school enrolment ratio (2000-2004) net female 60.

Primary school attendance ratio (1996-2004) net male 58.

Primary school attendance ratio (1996-2004) net female 66.

Secondary school enrolment ratio (2000-2004) gross female 32.

Secondary school enrolment ratio (2000-2004) gross male 40.

Secondary school enrolment ratio (2000-2004) net female 26.

Secondary school enrolment ratio (2000-2004) net male 32.

Secondary school attendance ratio (1996-2004) net male 38.

Secondary school attendance ratio (1996-2004) net female 33.²⁴⁶

Therefore “the relationship between child labour and education is a compound equation that is neither simple nor predictable: There are many factors that influence whether or not a child attends school, and the work they do is only one of them. Several factors have been attributed to affecting child education in Nigeria especially the rate of drop out. Such factors include Poverty and economic issues; early marriage and teenage pregnancy; inadequate school infrastructure; cultural and religious biases; Socio-economic status of the parent(s) largely

²⁴⁴ Cf. Ibid.

²⁴⁵ Cf. Ibid.

²⁴⁶ Cf. Ibid., p.8.

affects the child's education."²⁴⁷ Commenting on the role of parents about unregulated child labour and poor school attendance in Nigeria, Obayeli Abiodun argued that "parents played a greater role in child labour and school attendance in Nigeria. They decide about the child's daily life, about the future, about work, chores and schooling. Some of the endogenous factors of parent that this study has found that influenced the development of a child include: education of mother and father; health status of father and mother; child growing up in single-parent home; demographic characteristics (size of household, its age structure)"²⁴⁸ One can easily observe that "Some children in Nigeria embarked on child labour, dropped out from school or could not go to school as a result of their family's financial situation. Others are the exogenous factors affecting child education are: basic services in the local area: safe water, sanitation, environmental quality; preventive and basic curative health services; schools, kindergarten (availability and quality); institutions (tradition, culture, religion); conflicts (of ethnic, religious or civil nature)"²⁴⁹ Summarily put, "child labour is a widespread phenomenon in the world's economies and has been for generations. It encompasses numerous complexities that call for elaboration and clarification for better understanding of the concept. It is often confused with child work, but in recent time it has been put in the spotlight by activists, politicians and economists alike. Most of the popular discussion has centered on the harmful effects of child labour and ways to curtail its incidence."²⁵⁰ On a more serious note, research and studies and other findings have discovered the inherent risks and hazards, and problems that are associated with unregulated child labour, especially due to their exposure when working in exploitative industries and places. Reasoning along this line of thought, Michael Bourdillon said that "a growing concern for both control over and protection of children during the nineteenth century showed itself in various ways. In the first half of the nineteenth century, there were attempts to rescue children from the streets, reinforced by worries over their disruptive lawlessness."²⁵¹ ILO-child labour has to be taken seriously as an important obstacle to reaching the Education for All goals. According to the convention, "child labour and low school attendance is a pervasive problem throughout the world, especially in developing countries. Africa and Asia together account for over 90 percent of total child employment. This is especially prevalent in rural areas where the

²⁴⁷ Cf. Ibid. This is because even when tuition is free, uniforms, books, sandals, and transport fare have to be provided. With the high level of poverty and unemployment, the traditional discrimination as to which of the sexes benefits from education becomes a determining variable that can be employed negatively. Much of the literature on determinants of child labour treats school attendance as the only alternative to work.

²⁴⁸ Ibid., p.9.

²⁴⁹ Obayelu Abiodun Elijah et. al., op. Cit.,p.7.

²⁵⁰ Ibid., p.3.

²⁵¹ Michael Bourdillon et al.) Rights and Wrongs of Child Work, p.43.

capacity to enforce minimum age requirements for schooling and work is lacking. Children work for a variety of reasons, the most important being poverty and the induced pressure upon them to escape from this plight. Though children are not well paid, they still serve as major contributors to family income in developing countries. Schooling problems also contribute to child labour, whether it is the inaccessibility of schools or the lack of quality education that spurs parents to enter their children in more profitable pursuits.”²⁵² Socially, children have experienced negative effects on their educational development and performance as a result of unregulated child labour. Illiteracy, low school attendance and low enrolment have developmental and performance implications and have been attributed to children’s economic participation. This so because one should not expect an excellent performances from a child who does not come to school or who comes to school once in a while or who comes late to school on a daily basis. Conclusively, “the mental health of the child is negatively affected. Indeed, children engaged in hazardous industries have been observed to suffer verbal abuse from their employers, consistent fear of job termination, low self-esteem and a loss of imagination and future direction in life.”²⁵³ Child labour affects the education of the child negatively.

4. 8. Conclusion

The discussions so far were focused on the existential situation of child labour in Nigeria. Child work in Nigeria today is a form of socialization and acculturation. Through participation and involvement in various work activities, children are integrated into the society life and acquire skills and attitudes to work that will help them all through their lives. But our problem here is the unregulated child labour, which affects the child’s mental, physical, moral, healthy, psychological development. The elimination of child labour in Nigeria is a very complex issue because, “thousands of families living in poverty depend on the wages of their children for their very survival.”²⁵⁴ Through the differentiation made between child work and child labour in the early chapters, we have been able to establish the

²⁵² Obayelu Abiodun Elijah and Victor Okoruwa, op. Cit.,p. 2. Traditional factors such as rigid cultural and social roles in certain countries further limit educational attainment and increase child labour. The gender roles that a society assigns to its children will have a determining effect on their future: their access to food and education; their labour force participation; their status in relationships; and their physical and psychological health.

²⁵³ Stephen Nkereuwem Ekpenyong and Asain E. Sibiriii, op.Cit., p.39.

²⁵⁴ Shelly Feldman et. al, “Bangladesh” in Child Labour: A Global View, by Cathryne L. Schmitz et all(eds.) London, Greenwood Press, 2004, p.15

very fact that child work is regulated, and child labour in most cases are unregulated and affects the child negatively. The root causes of child labour in Nigeria must be addressed on the first instance. These include unemployment, poverty, poor salaries and income, etc. Commenting further on this issue of poor salaries by the parents, Cathryne L. Schmitz, et.all.(eds.) said: “of standard wages for adults has meant that the wages received were generally at the whim of the employer. Adults frequently could not earn enough money to provide for their families’ most basic needs.”²⁵⁵

Having seen also the factors that hinder the prohibition of child labour in Nigeria, one understands immediately that these factors need to be addressed, and solutions for them offered. According to Wogu, “Despite international conventions on child rights and protection, child labour still strives in countries around the world. Many nations have been able to domesticate the Child Rights Act but in spite of this, child trafficking and work continue unabated. In Nigeria, despite the domestication of the Child Rights Act, many children are still engaged as street vendors, beggars, shoe shiners, apprentice mechanics, carpenters, vulcanizers and domestic servants. These ultimately affect their education and social development. Indeed the number of child workers in Nigeria was estimated at 15 million in 2006.”²⁵⁶ Therefore, as a result of the above reasons as we have already seen in the preceding chapters especially poverty, the ban on child labour in Nigeria at this stage cannot work.

Chapter 5: Regulation of Child Labour: The Way Forward

5.0 Introduction

In the second half of the twentieth century, the plight of poor working children in Nigeria began to receive sympathetic attention and calls for an urgent response. The high rate of exploitation, abuses, neglects, inhumanity, etc have called for the urgent need for the regulation of these practices, since Nigeria at this stage, taking cognizance of the present situations of things namely: Nigeria, a third world country, with problems like poverty, unemployment etc, cannot stop child labour. According to Mark Weisbrot “an estimated 120 million children between the ages of five and fourteen are employed in the world's workplaces ranging from factories to farms, fisheries, mines and almost every type of unskilled labour

²⁵⁵ Ibid., p.150.

²⁵⁶ Funmi Falobi, Nigeria: “Wogu and the Fight against Child Labour” in Daily Independence(Nigerian Newspaper), 28th August,2014.

done by adults. They are mostly in developing countries in Asia, Africa and Latin America.”²⁵⁷ Similarly, he goes further to explain this ugly situation of child labour that “the adverse health and developmental effects of this labour on children including stunted growth and impaired learning are well known and documented. Their work is often hazardous and exposes them to great risk and occupational disease.”²⁵⁸ Nonetheless, “it is sometimes objected that developing countries are too poor to take the measures that developed countries such as the United States have instituted to eliminate child labour. For example, an issue brief on child labour from the Heritage Foundation notes that poor countries cannot necessarily afford such measures.”²⁵⁹ So, to eliminate child labour in Nigeria at this stage is not possible and therefore there is an urgent need for regulation. Similarly according to Michael Bourdillon et al., “Where certain clearly harmful situations are common in a particular type of work and environment, more general rules may be necessary. Abuse of child domestic workers, for example, may be so common in a particular social setting that minimum age regulation may be justified. Generally, local communities, in consultation with the children concerned, are better able to assess such situations than international or even national bodies, both in terms of relative harm and benefit to children and in terms of available alternatives.”²⁶⁰ The adverse effects of this situation are numerous. Furthermore, he argues that “this task does not lend itself to bureaucratic judgment and classification, such as by government ministries. This task is best accomplished through consultative procedures in which the observations and opinions of children, parents, employers and outside observers are taken into consideration. For this reason, approaches involving community consultation have evolved in various places for making decisions about the appropriateness of children’s work and possible interventions in it.”²⁶¹

In this chapter therefore, a detailed presentation of the reasons why child labour should not be banned in Nigeria at this stage but regulated will be discussed and the reasons for the urgency of this task of regulation. Regulation will help to achieve a lot for the working children but it

²⁵⁷ Mark Weisbrot et. al., Can Developing Countries afford to ban or regulate Child Labour(Accessed, November 18th, 2014 from www.peri.umass.edu/fileadmin/pdf/child.PD).

²⁵⁸ Cf. Thus, in some countries and some cultures, it is discovered that the rate of child mortality evidenced from pesticide poisoning in agriculture, is far more than that of malaria, tetanus, diphtheria, and other childhood diseases combined together. Any factor therefore that denies the children the right to education violates their most basic and fundamental rights and also represents a great loss both in economic and social sectors especially in those countries and cultures in which these children live and work.

²⁵⁹ Cf. Ibid.

²⁶⁰ Michael Bourdillon et al., *Rights and Wrongs of Child Work*, London: Rutgers University Press, 2010, p. 178.

²⁶¹ Ibid.

will be good at this point to mention that regulation will not achieve hundred percent success. Regulation then will help children to go to school without distractions from work and also have time to play in order to enjoy their childhood. Since there is no clear distinction between child labour and child work, what is to be regulated will be handled in this chapter in order to make a clearer distinction. This will contribute greatly to answering this most important question: can developing countries in general, and Nigeria in particular afford to ban or regulate child labour?

5.1. General Assessment of Child Labour versus Human Dignity and Child Rights

This part handles the general assessment of child labour with reference to human dignity and child rights.

5.1.1 Unregulated Child Labour as a Type of Humiliation.

Humiliation of children through child labour, violate also the dignity and respect of everyone in the society, since the child is part and parcel of the society he lives. Using a football team as an example, when a member of a football team is insulted or humiliated, the whole team has been insulted and humiliated. We cannot say that if a member of the team is humiliated, it is then personal to him. This is true because there is no team without the individual persons. Therefore, it is these individuals that come together to make up a team. Similarly, the players on the bench (I mean the substitutes) or the fans in the banks enjoy this same privilege as members of this team. Without a doubt, they also feel humiliated, at least if they are good team members and real fans. But how can this be? They did not play: they did not get beaten, smashed and crushed. To summarize according to Paul, “no act of humiliation was carried out against them. The answer to this little puzzle is quite obvious and straightforward: They feel debased because they identify with their players. They are all part of it and whether they play an active role does not matter in the least.”²⁶² So, if one member or some members of the group are humiliated or violated, the whole group is humiliated and violated. This action so to say is a big slap on that particular group. According to Kaufmann “if a humiliation is directed against a collectively shared part of identity, the whole group is humiliated and not only the violated individual.”²⁶³ Therefore, to humiliate or violate someone means to diminish his social status and also to diminish his or her self-respect, whether he is conscious of it or not, whether directly or indirectly. It is a great attack to his or her dignity. For example, rape is not

²⁶² Paul Kaufmann , et. al.(eds.) “Humiliation, Degradation, Dehumanization: Human Dignity Violated” in Library of Ethics and Applied Philosophy, Vol..24, London: Springer Dordrecht Heidelberg, 2011, p.26.

²⁶³ Ibid., p.27.

only a humiliation, but also a violation not only to the persons involved, but the entire humanity. However, “dignity can be shared in groups and our self-respect is highly dependent on the social role played by those groups we belong to.”²⁶⁴ Moreover, child labour must be regulated in order to control all these abuses that violate and humiliate the child, because such humiliation is a humiliation on the whole society since the child is a member of the society.

5.1.2 Unregulated Child Labour as Dehumanization

Dehumanisation describes the denial of ‘humanness’ to a person or group of persons. It is theorized to take on two forms: animalistic dehumanization, which is employed on a largely intergroup basis, and the mechanistic dehumanization, which is employed on a largely interpersonal basis. Dehumanization may be carried out by a social or religious or political institutions (such as a state, school, church or family), interpersonally, or even within the self. Drusilla K. Brown discussing about this situation said: “the specter of small children toiling long hours under dehumanizing conditions has precipitated an intense debate concerning child labour over the past decade and a half. As during the midst of the 19th-century industrial revolution, policymakers and the public have attempted to come to grips with the causes and consequences of child labour. Coordinating a policy response has revealed the complexity and moral ambiguity of the phenomenon of working children.”²⁶⁵ On another note, this term also refers in the most basic and original scenes as the denial of the humanity of a person or group of persons. It also implies the denial of their basic dignity and right. Degradation can occur in various forms and degrees. It can be extreme or mild depending on its effects on the persons involved. Extreme dehumanisation occurs in the cases of torture, genocide, etc. Similarly, mild dehumanization occurs in everyday life, in the social, political and economic structures. These situations are inhuman. Osaretin Samuel has a similar description of this situation with regard to child labour thus: “is something common in Africa and Nigeria where I come from because of poverty. Here, most families live below the poverty line, and as a result, malnutrition is not uncommon in Africa. The wealth of the nations is not evenly distributed. It is rather concentrated in the hands of very few of the privileged, such that the gap between the haves and the have-not is very wide. In order to cushion some of the effects of poverty and get something to eat, many families practice child labour by sending their children into the

²⁶⁴ Ibid., p.3.

²⁶⁵ Drusilla K. Brown, et. al., “The Determinants of Child Labour: Theory and Evidence” in Research Seminar in International Economics, University of Michigan, September 2002, p.3.

streets to do all manner of things provided that money comes from it, and it puts food on the table.”²⁶⁶ He goes further to say “Many children are taken away from the succor and the protection of their families to serve as house helps in very hostile conditions all in the name of helping poor families take care of children. Perhaps, income earned by the children is given to their immediate family members to enhance their survival. The majority of these children are always females who are maltreated by the families where they have been hired as servants.”²⁶⁷ In this situation in the ideas of Sophie Oliver, human beings and to be precise children in unregulated child labour are rendered to such situations that their lives count for nothing. Children suffer the dehumanization in cases of child labour because their lives as children, their emotions, feelings and future are not taken into considerations. They are meant only to satisfy the intentions of those using them to achieve or realize their selfish interests and objectives. Their interest is not respected and uphold. This affects adversely the physical, emotional and mental growth of the children involved. Sophie Oliver opined that at various periods in history and different societies, groups, and individuals have been treated inhumanly by other humans.²⁶⁸ Therefore, child labour from this perspective he argues further especially when not regulated is a form of dehumanization, because the child’s basic right and dignity as a child are not respected and protected. To be dehumanized, therefore, means to be excluded from the community or the society one belongs. So, to exclude a person from the community [within the context of human dignity and human right] implies acting inhumanely towards these persons or allowing harm or allowing others to treat them without respect to their personhood, without any reference to moral inhibition or self-reproach.²⁶⁹ This implies that in unregulated child labour, the child sometimes suffers this type of dehumanization and this call for an urgent task of regulation of child labour. So, when child labour is not regulated, then it stands as dehumanization. The reason for regulation of child labour and not ban is already explained in the introductory part of this chapter.

266 Omoruyi Osaretin Samuel, “Child Labour- a Dehumanizing Slave Master” in Panorama, Nigeria, 26th June, 2011.

267 Cf. Ibid. In most cases, they do not have the same opportunity to schools like the children of the families that hired them. Their rights as children are being violated, such as: the right to have quality healthcare, education, and the freedom to play. Many suffer sexual molestation from adult males in the employers' families where they are maids. This is an organised modern form of slavery. Nigerian children still suffer spiteful masqueraded form of slavery their forefathers already suffered.

268 Cf. Sophie Oliver, Dehumanization: “Perceiving the body as In (Human) Humiliation, Degradation, Dehumanization” in Library of Ethics and Applied Philosophy, Volume24, London: Springer Dordrecht Heidelberg 2011, p.86. For example: slaves by their masters, natives by colonialists, blacks by whites, Jews by Nazis, women by men, children by adults, the physically disabled by those who are not, homosexuals by heterosexuals, political authorities by their political counterparts, one ethnic or religious group by another etc.

269 Cf. Ibid.

5.1.3 Unregulated Child Labour as Degradation

Degradation refers to the situation in which a person or some people are made to feel they have no value. Someone might be even be degraded without knowing that he or she is being used and thereby being degraded. So, degradation is bad whether someone is aware of it or not. This happens in the question of child labour, especially the unregulated ones. Degradation is degradation even if the person being degraded feels it or is conscious of it or not. This is a clear fact. Degradation also implies to use a person to achieve a goal. It implies using him or her to serve one of someone's ends, which may bar him or her from pursuing his or her ends.²⁷⁰ On discussing about degradation, age, sex, and state of the individual must be taken into consideration. Lack of respect for the person's physical and mental health is always at stake in this case. Degradation is majorly characterized by humiliation. This implies that degradation is identified, via humiliation, on the basis of more than an internally-felt emotion, as something whose existence is not dependent upon the individual's experience.

5.1.4 Unregulated Child Labour as Using a Person (Instrumentalization)

In Kant's moral theory, he made a close connection between the concept of human dignity and the prohibition to use people merely as a means. In this discussion, children are also involved. He explained that dignity is due to certain properties, and these properties give us reasons to treat the bearer of these properties in a certain way. Dignity gives us reasons to act. These properties that make up man's dignity exist independently of wishes and deeds of a person. In his categorical imperative, he explained that the man has a great obligation first towards himself and secondly to his fellow beings. This obligation is not mainly from the formula of universal law or that of law of nature but in the form of the formula of humanity. According to Kant, it is an "act that you use humanity, whether in your person or in the person of any other, always at the same time as an end, never merely as a means."²⁷¹ This

²⁷⁰ Cf. Kaufmann et al. (eds.) "Humiliation, Degradation, Dehumanization," in *Library of Ethics and Applied Philosophy*, C Springer Science + Business Media B.V. 2011, p.67. This sometimes might not be good for a person. I somehow put myself above him or her as master-slave relationship and treat him or her as tool, because he is not aware of the fact that he is being used or he or she is aware of the situation, but is incapacitated. In this case, degrading treatment is a basic term that can be used to explain this situation. It can best be explained as a lack of respect of the child's wellbeing, dignity, emotions, feelings, etc

²⁷¹ Kant, Immanuel (1996): *The Metaphysics of Morals*, (edt. by Mary Gregor), Cambridge: Cambridge

implies that the human dignity of others, as well as one's dignity, is at stake in this case. So, when one violates or neglects one's dignity, it becomes unlikely that one will respect that of others. He may surely neglect that of others. Furthermore, a great concern and care for one's person or dignity is a sort of precondition or a guarantee for the overall respect for the dignity of the whole of humanity. This observation was actually made by Kant himself in his 'Metaphysics of Morals', thus: For I can recognize that I am under obligation to others only insofar as I at the same time put myself under obligation, since the law by virtue of which I regard myself as being under obligation proceeds in every case from my own practical reason.²⁷² Therefore, to use a person as an instrument or as means is morally condemned by Kant. To compare using a person with using a tool or instrument, 'James' uses 'John' if and only if 'James' interacts with 'John' because he believes that 'John's' presence or participation can contribute to the realization of his goal and that this goal does not essentially refer to 'John'. It is only interested about what he intends to achieve and not interested on the effect of this on 'John'. So, the thing has a dignity if it has properties that bestow a status on its bearer, where this status imposes certain constraints on how to treat him.²⁷³ According to P. Kaufmann therefore, to humiliate or violate someone means to diminish his social status and also to diminish his or her self-respect, whether he is conscious of it or not, whether directly or indirectly. It is a great attack to his or her dignity. Therefore, the humiliation of one member of a group is a humiliation for the whole group, when there is some strong sense of a common fate, including a feeling high sense of solidarity that leads to profound sympathy and calls for immediate reaction of the group. This implies that the dignity can be shared in groups (all the members of the group), and our self-respect is highly dependent on the social role played by those groups we belong to. Therefore, unregulated child labour must be regulated to regulate these activities.²⁷⁴ Similarly, "the implications of this situation are significant, complex, and multidimensional. The hazardous and worst forms of child labor are of universal concern, given the obvious harm that they inflict on the lives of these children and their possibilities for a hopeful future. Child labor also has important economic implications. Most notable are the substantial future income losses that working children will incur because of the negative

University Press.

²⁷² Cf. Kant, Immanuel (2002): *Groundwork for the Metaphysics of Morals*. (ed. & trans. By Allen Wood) Yale: Yale University Press.

²⁷³ Cf. Dale Jamieson (ed.), "What, If Anything, Renders all Humans Morally" published in Peter Singer and His Critics, Oxford: Blackwell, 1999, p.1.

²⁷⁴ Cf. Paul Kaufmann et al. (eds.) "Humiliation, Degradation, Dehumanization" pp.57-63.

consequences working will have on their human capital, including their health and education.”²⁷⁵

5.2.0 Why Regulation and the General Reasons for the Regulation

There are many reasons why child labour should be regulated. Regulation will help to realize the basic dignity and needs of the child. For example, children will have enough time for school and also to play with other children. Apart from these, there are reasons we have already discussed in the previous chapters namely: Cultural factors and Political factors. According to the International Labour Organisation (ILO) 1999, no. 182, Worst Forms of Child Labours are defined as: Forced labour and all forms of slavery or similar practices: sale and trafficking of children, debt bondage and serfdom, recruitment of children for use in armed conflict; Child sexual exploitation (including prostitution and pornography); Child labour in illicit activities, such as the production and trafficking of drugs; Hazardous labour which may harm the health, safety or mental state of children.²⁷⁶

The Convention goes further to explain that more specifically, hazardous child labour is work in dangerous or unhealthy conditions that could result in a child being harmed or injured, which may be as a result of poor safety and health standards and working arrangements. Often health problems caused by this condition may not develop or show up until the child is an adult. Hazardous child labour is the largest category of the worst forms of child labour, experienced in agriculture, construction, service industries, hotels, bars, restaurants, domestic services, etc. It is also found in both industrialised and developing countries. According to ILO, “girls and boys often start carrying out hazardous work at very early ages. Worldwide, the ILO estimates that some 22,000 children are killed at work every year. Hazard’ and ‘risk’ are two terms that are frequently used in association with this type of child labour. A ‘hazard’ is anything with the potential to do harm. A ‘risk’ is the likelihood of potential harm from that

²⁷⁵ Gordon Betcherman et al., “Child Labour, Education and Children’s Rights” in Social Protection Discussion Paper Series, Washington: The World Bank, July 2004, p.31. Since children are more likely to work and not go to school if their parents worked as children, the economic losses associated with child labor and their implications for poverty are often transmitted across generations.

²⁷⁶ Cf. International Labour Organisation, No.182. Eliminating child labour(Accessed 10th June, 2016 from www.ilo.org/dyn/normlex/en/f?p...12100:0::NO...ILO...C182).

From the Convention, these points should be taken into consideration with regard to the works children do: work which exposes children to physical, psychological or sexual abuse, work with dangerous machinery, equipment and tools, work in an unhealthy environment which may, for example, expose children to hazardous substances, agents or processes, or to temperatures, noise levels, or vibrations damaging to their health, working for long hours or during the night. Cf. Ibid.

hazard being realized.”²⁷⁷ According to Michael Bourdillon et al., “Fassa and Wegmann summarised the characteristics that make young people more susceptible to work hazards. They distinguish three categories of hazards; exposure to toxic substances; exposure to excessive heat and noise; and ergonomic hazards linked to repetitive motion, high force, and awkward posture at work, the latter including mismatches between children’s small body size and the machinery, tools, workstations, and protective equipment they may have to use.”²⁷⁸ They noted the striking “lack of scientific evidence that addresses the susceptibility of youths to the full range of risks that exist in their places of work.”²⁷⁹ The ILO Convention No. 182 wants to eliminate, as a priority, “the above worst forms of child labour. Even though these worst forms of child labour sometimes occur in legitimate sectors of the economy, they are nonetheless damaging to child workers. There are very often performed by the most vulnerable children. Among the worst forms of child labour, are the unconditional worst forms of child labour; there are those which, under any circumstances, are in contravention of international law.”²⁸⁰ Michael Bourdillon et al., analyzing the statement of the Convention said: “Convention 182’s unconditional worst forms- those considered harmful to children and society under any considerations-include slavery and similar practices, such as the sale and trafficking of children, debt bondage, forced or compulsory recruitment of children in armed conflict and the use of children in prostitution, pornography, or illicit activities such as the production and sale of drugs.”²⁸¹ Nevertheless, there are some situations in which children have no choice in their work, and are often under duress and some manipulations. In such circumstances, they have no choice. A good example of this is experienced by children who work as slaves, street hawkers, etc. On another more important note, because of the cultural practices that typically lead the child into labour, these methods also need to be regulated. Bass supported this view with his analysis of similar situations in Ghana thus: “Cultural practices can also force children into conditions akin to slavery, as in the Trokosi tradition of southern Ghana, where thousands of girls as young as four may be betrothed to fetish gods to atone for transgressions of a family member, when families are unable to raise money to buy

²⁷⁷ Ibid.

²⁷⁸ Michael Bourdillon et al., *Rights and Wrongs of Child Work*, p. 171.

²⁷⁹ Fassa et al., “Special Health Risks of Child Labour” In Hindman, H.D. (ed.), *The World of Child Labour: A Reference Encyclopedia*. New York: M. E. Sharpe, 2009, p.129.

²⁸⁰ International Labour Organisation, No.182. *Eliminating child labour*.

²⁸¹ Michael Bourdillon et (al.) *Rights and Wrongs of Child Work*, p.162.

The task of abolishing the abuse of children in these ‘unconditional worst forms’ is a burning issue and therefore requires a proper attention, so long as children still see even very harmful and hazardous works as preferable to available alternatives. In such cases, any form of rescue must be followed by provision of better alternatives, but must be in consultation with these children. Cf. Ibid.

the necessary cattle to atone for the offense. The Trokosi girls are deprived of freedom and education, suffer inhuman and degrading treatment and have to work for the priests as cooks, farmhands, cleaners, and mistresses.”²⁸² In Senegal and Gambia, he argues further that “talibes aged between seven and thirteen are placed with a quranic teacher by their parents or guardians, who are usually poor and illiterate. The children beg on the streets for many hours a day, giving proceeds to their homes and farms. The teacher is supposed to provide shelter, clothes, and food, but these are often inadequate.”²⁸³ In the area of sex trade or child prostitution, Michael Bourdillon said that “a variety of factors can put pressure on children to engage in the sex trade. Desperate poverty can drive children into using sex as a means of survival.”²⁸⁴ For Barnes “Usually, children in the sex trade are powerless, disparaged, and physically abused, both by the people who control them and by their clients. They have little control over their lives, live in fear and are stigmatized socially, making it difficult to break out of this form of work and improve their situation.”²⁸⁵ Powel is of the same opinion thus: “Although such choice usually constrained by poverty and absence of alternatives, in some cases sex work may be freely chosen, often under the influence of peers and perhaps linked to a desire for alcohol or other drugs.”²⁸⁶ On the devastating effects of these practices to children, Barnes continued that a frequent factor here is the sexual abuses experienced by these children in their homes. “Girls (sometimes also boys) on city streets may exchange sex for protection or for warmth at night and a place to sleep.”²⁸⁷

It will be good at this juncture therefore to see the very many reasons why child labour should be regulated and the urgency of this regulation.

5.2.1 Unregulated Child Labour as Abuse and Neglect

Child abuse as we discussed earlier is the physical, sexual or emotional maltreatment or neglect of a child or children. This act is committed either by the parents, guardians or people

²⁸² Bass Loretta, *Child Labour in Sub-Sahara Africa*, Boulder & London: Lynne Reiner, p. 151-152.

²⁸³ *Ibid.*, p.204.

²⁸⁴ Michael Bourdillon et al. *Rights and Wrongs of Child Work*, p.164.

²⁸⁵ Barnes et al., “Commercial Sexual Exploitation of Children” in *An explorative study conducted with child victims of prostitution in the Western Cape*. Bellville: Institute for Child and Family Development, University of the Western Cape, 2000, p.32-33.

²⁸⁶ Powel Steve, “Children Speak Out: What Influences Child Trafficking in Southeast Europe, Bosnia and Herzegovina-short report” in *Sarajevo; Save the Children Norway South East Europe Regional Office*, 2007, p.34.

²⁸⁷ Barnes et al., “Commercial Sexual Exploitation of Children” *Ibid.*

entrusted with these children. Child abuse is also committed either by commission or omission by the people responsible for these children. This act is harmful to the child and sometimes affects him or her psychologically. Child abuse occurs in many places such as: in a child's home, in the streets, schools, at various places children work for money or in the communities where they live. There are categories of child abuse. But in this work, four major categories namely: physical neglect, physical abuse, psychological or emotional abuse, and sexual abuse will be discussed.

- a. Physical Neglect:** It is a denial of care, adequate nutrition and medical care. The most glaring form of this neglect is the various incidents of abandoned babies. Also, the problem of street children is a direct result of this type of neglect. Many unloved and unwanted children run away from home and take to the streets exposing themselves to further abuse. Some are forced into the streets as a result of poverty namely selling in streets and parks. Children suffer this damage in unregulated child labour.

- b. Physical Abuse:** It has to do with the infliction of physical pain or injury on the child. The most common form of this is subjecting a child to a severe beating or extreme punishment for minor offences. Any chastisement of a child should take into consideration the child's age and should never include anything that might do real physical harm to the child. It should also not be a regular occurrence. Most child labourers are victims of this act.

- c. Sexual Abuse:** We have already said in the introductory section that within the past 30 years, it has become recognized that there are children who are harmed by the very people who are expected to protect them. Sexual abuse also referred as molestation is the forcing of undesired sexual behavior or act by one person upon another. The term also covers any behaviour or act by any adult towards a child to stimulate either the adult or child sexually. This is more serious when the victim is younger than the age of consent. In this case, it is referred to as child sexual abuse. According to Ngozi Ezeilo (ed.), child sexual abuse "is taking advantage of a child's tender years and innocence in order to subject the child to engage in sexual activities that he/she does not fully understand and to which they cannot give any informed consent. Sexual abuse can take many forms and may differ considerably between cultures. It is not restricted to sexual intercourse and covers a broad range of behaviours. It may be

purely verbal rather than physical. Sexual abuse can have long-term consequences. Many abusers have a history of being sexually abused themselves.”²⁸⁸ Child sexual abuse is also experienced by the child when he or she is abused by an adult for their sexual gratification. In addition to direct sexual contact, child sexual abuse also occurs when a child is exposed to a lot of activities by an adult in order to satisfy their sexual urges. Children who have been abused have experienced so many negative effects. They include: guilt and self-blame, sexual dysfunction, chronic pain, addiction, self-injury, depression. Victims of child sex abuse sometimes are more likely to attempt suicide. Much of the harms caused to the victims become apparent years after the abuse happens. Sexual abuse can take many forms and dimensions and may differ considerably from cultures and tradition. Many abusers have a history of being sexually abused themselves. Some of the more frequently cited kinds of sexual abuse are:

(1) Incest: According to Ngozi Ezeilo, incest is the sexual relationships, which occur between two people in the same family such as father and daughter or mother and son.²⁸⁹ However, there are situations which are almost very disturbing and frustrating. It may sometimes involve those who are not blood relations such as stepfather and stepdaughter, etc. Incest may include sexual activity which sometimes may not involve sexual intercourse. Incest has many devastating consequences on the children involved such as: shame, embarrassment and often a sense of guilt that they have consented. Incest between a child or adolescent and a related adult has been identified as the most widespread form of child sexual abuse. This case damages the children involved psychologically. Sometimes, child sexual abuse also takes place within the family cycle. In this situation, the child involved is related to the child. This is mostly experienced in nuclear families where there many members of the family. In this case, the child may be employed by a close member of the family to do one job or another and in the process he or she may be abused.

(2) Rape: According to Ezeilo, “It is the forcing of sexual intercourse on an unwilling male or female. Rape is particularly traumatic for a child with no prior experience of intercourse, and it may be accompanied by additional physical as well as psychological abuse. Sexual intercourse with a minor however defined ought to be treated as raped even if the child

²⁸⁸ Ngozi Ezeilo, “Child Abuse and Neglect” in A Publication of Women’s Aid Collective, sponsored by Swedish NGO Foundation for Human Rights., Women’s Aid Collective, 2002, p.4.

²⁸⁹ Ibid

consents since the child is not considered to be mature enough to make an informed judgement.”²⁹⁰ This is one of the worst forms of child abuse and has destroyed many children.

(3) Prostitution: This is another type of sexual abuse. In this type of child sexual abuse, children are involved in one sexual activity or the other. It is the commercial sexual exploitation of children. Children mostly enter into this act for financial benefits. Worthy of note is that a variety of factors can put pressure on children to engage prostitution or sex trade. Abject and desperate poverty can drive children into using sex trade as a means of survival. In children prostitution, children exchange sex for money, food, clothes, mobile phones, or other favours, etc. Most children became victims of this act because of certain difficult situations in the family, namely poverty. Some do it because they were constrained by people responsible for them. While others do it out of choice in order to help their families. Children prostitution is on the increase today as a result of the advent of Internet and with the use of webcams. This is one of the worst forms of child labour today. It’s devastating effects on children involved are many. Explaining the innocence and the powerless nature of children in this situation, Woodhead Martin said: “Usually, children in the sex trade are helpless, disparaged, and physically abused, both by the people who control them and by their clients. They have little control over their lives, live in fear and are stigmatized socially, making it difficult for break out of this form of work and improve their situation.”²⁹¹ Black goes further to explain that “not all underage girls in the sex trade fit this stereotype. There is a difference between prepubescent children who are trafficked into the sex industry or pornography and those older adolescents who are in a position to make choices on the matter.”²⁹² Children are in most cases forced by social structures for example poverty and individual agents into situations in which adults take advantage of their vulnerability as children and sexually exploit and abuse them. Thus “Although such choice is usually constrained by poverty and absence of alternatives, in some cases sex work may be freely chosen, often under the influence of peers and perhaps linked to a desire for alcohol or other drugs.”²⁹³ Black along the same line of thought argued further that “girls may want to work in the entertainment industry, which often leads to trading sex, for better pay and conditions than they had in

²⁹⁰ Ibid., p.3.

²⁹¹ Woodhead Martin, “Children’s Perspectives of Their Working Lives: A participatory study in Bangladesh, Ethiopia, the Philippines, Guatemala, El Salvador and Nicaragua. Stockholm” in Save the Children, Sweden, 1998, p.23.

²⁹² Black, Maggie, “In the Twilight Zone: Child workers in the hotel, tourism and catering industries” in International Labour Organisation, Geneva: International Labour Office, 1995, p.86.

²⁹³ Cf. Barnes et al., Ibid., p. 118.

previous work, such as abusive domestic employment.”²⁹⁴ In this case therefore, “sex may be perceived merely as a means of quick and easy money.”²⁹⁵

Child prostitution, therefore, usually takes place in particular environments, such as brothels, bars and clubs, or homes, or particular streets and areas, etc. Children also engage in prostitution, however, when they exchange sex outside these environments and in return not only for basic needs such as shelter, food, clothing, or safety, but also for extra pocket money for desired consumer goods otherwise out of their reach. O’Connell made distinctions about three categories of minors who migrate into the sex trade thus: “Among minors who migrate into the sex trade, we can distinguish three major categories. Some are misled into thinking they were moving into some other occupation, only to find themselves pressed into the sex trade. Others travel in search of other work and are unable to find it. Others choose the sex industry because it is more highly rewarded than other occupations, because they see it as the only way out of poverty or because treatment at home is even worse.”²⁹⁶ Worthy of note is “not all young sex workers feel exploited and abused.”²⁹⁷ According to Montgomery “that although children are harmed by prostitution, they weigh this against economic benefits to be gained, which are often used for what they consider to be very moral purposes of family support.”²⁹⁸

(4) Paedophilia: This refers to sexual attraction towards the minor and accomplishing this sexual urge. A child may be lured into this ugly act by an adult in order to fulfill the latter’s sexual desire. This is a form of sexual abuse and exploitation because the child is still below the age of the immaturity and even if the child does it voluntarily.

(5) Sexual Harassment: This is the ugly act of forcing someone into sex. Some take the advantage of the weakness and helplessness of the children. Sexual harassment can take many forms. Sometimes, it includes repeated teasing or embarrassment. Before, it was men going towards girls and women to boys. But recently, it is men going toward boys and women toward girls.

²⁹⁴ Black, Magie, *Ibid.*, p.30.

²⁹⁵ Ivanova et al., *Ibid.*, p.68.

²⁹⁶ O’Connell Davidson, *Children in the Sex Trade in China*, Stockholm: Save the Children, Sweden, 2001, p.11.

²⁹⁷ Michael Bourdillon et (al.) *Rights and Wrongs of Child Work*, p.165.

²⁹⁸ Montgomery Heather, *Modern Babylon; Prostituting Children in Thailand*, In Parkin, D and S. Tremayne (eds.), *Fertility, Reproduction and Sexuality*, Oxford: Berghahn Books, 2001, p.156-159.

(6) Debt Bondage: Another type of child labour effect is debt bondage. Debt bondage is better described as a form of modern day slavery and it is prohibited by international law. Children from poor families normally fall victim of this ugly situation. They have fallen into problems and are compelled by circumstances to choose debt bondage as a way to anticipate and avoid worse terms that their creditors might impose on them that seems to be more devastating. Conclusively according to Ezeilo, “The issue of child abuse has now been recognized as a worldwide problem. Children are among the most vulnerable people on the face of the earth and are frequently the defenseless victims of the most degrading abuses. Many international conferences have helped in giving the needed attention to this problem. Consequently, many countries have sought to better the lives of children by passing legislation to protect them. In spite of such laudable actions, it must be acknowledged that child abuse has deep tentacles in human society and cannot easily be eradicated by mere legislation. However, despite all these parents, guardians and adults in charge of children can still do much to protect them.”²⁹⁹

5.2.2 Unregulated Child Labour as a Threat to Children’s Education

Child labour in the recent times has really impacted negatively on school attendance rates in Nigeria. This implies that an increase of the children economic activities leads to a decline in school attendance. To be more precise, working children are disadvantaged when compared to their non working counterparts in other places in terms of their ability to attend school and other developmental activities. Thus “Child labour acts as a major hurdle for ensuring free, quality education for every child. Over 246 million girls and boys around the world are working instead of attending school and enjoying their childhood of which Nigeria account for about 6.1 %(15million)”³⁰⁰ This situation is more experienced in the rural areas, where school attendance is lower than in urban areas. The impact of child labour in education varies in varying degrees. Girls, for instance, are usually overrepresented and are more in non-economic activities such as work in the ‘own household’ as maids or babysitters, leaving often little or no time for schooling. Thus, “child labour and low school attendance is a pervasive problem throughout the world, especially in developing countries. Africa and Asia together account for over 90 percent of total child employment. This is especially prevalent in

²⁹⁹ Ngozi Ezeilo, Ibid, p.4.

³⁰⁰ Obayelu Abiodun Elijah and Victor Okoruwa, Analysis of Child Labour and School attendance in Nigeria: The present and future implications, Nigeria, Faculty of Agriculture and Forestry, University of Ibadan, p.1.

rural areas where the capacity to enforce minimum age requirements for schooling and work is lacking. Children work for a variety of reasons, the most important being poverty and the induced pressure upon them to escape from this plight. Though children are not well paid, they still serve as major contributors to family income in developing countries.”³⁰¹ Furthermore, children sometimes enter into child labour as a result of school problems namely: parents most especially in rural areas encourage their children to enter more profitable pursuits due to the lack of quality education or inaccessibility of schools and the traditional factors that further limit educational attainment and increase child labour, such as strict cultural and social roles in certain countries. Additionally, there exists a high correlation between child labour and children’s dropout rate before completing primary education. Worthy of note is that “the relationship between child labour and education is a compound equation that is neither simple nor predictable: There are many factors that influence whether or not a child attends school, and the work they do is only one of them. Several factors have been attributed to affecting child education in Nigeria especially the rate of drop out.”³⁰² Furthermore according to Obayelu Abiodun Elijah et al., this points to the interference of working activities with not only the ability to attend school but also to remain in it and to thus realize learning goals. Finally, there is a significant negative relationship between levels of economic activity of children (aged 7-14) and youth literacy rates (aged 15-24). The absence of these core competencies will leave youth and adults with very restricted options besides working in small jobs consequently recreating the conditions for the perpetuation of poverty, inequality and social exclusion.³⁰³ Thus, child labour has to be taken seriously as an important obstacle for reaching the Education for All- goals. Efforts to eliminate child labour, and its worst forms in particular, should run in tandem and should be well coordinated with activities by the Education for All Movement. Jens Qvortrup “pointed out that in this view, the primary and obligatory work of children is no longer to contribute to the livelihood of the household, but to acquire knowledge and skills for the future of the nation. This view considers schooling as investment in children for what society will need them later. It is implicit in the policies of many countries, which see the value of formal schooling for the countries’ economic development. Applications coming from this perspective are not limited to low-income populations. In 1995, the German Federal

³⁰¹ Ibid. p.3.

³⁰² Ibid., p. 6. Such factors include poverty, social and economic issues; early marriage mostly as a result of unwanted pregnancy, inadequate school infrastructure in rural areas; cultural and religious biases; Socio-economic status of the parent(s) largely affects the child’s education because even when tuition is free, parents have the obligation also to provide uniforms, books, sandals, and transport fare.

³⁰³ Ibid.

Government declared that because the educational system should produce qualified labour power, it is as economically important as, for example, traffic infrastructure.”³⁰⁴ On August 8, 2000, “the Nigerian Government and the International Labour Organization signed a Memorandum of Understanding to establish a national program to eliminate the worst forms of child labour in Nigeria. Education in Nigeria is compulsory for a child that is nine years old. The National policy on Education (NPE 1998) revised three years after the 1995 Beijing declaration and PFA, clearly states in sub-section 4c of section 1(NPE p.7) that there is need for equality of educational opportunities to all Nigerian children irrespective of any real or imagined disabilities each according to his or her ability.”³⁰⁵ Moreover, “the implications of this situation are significant, complex, and multidimensional. The hazardous and worst forms of child labor are of universal concern, given the obvious harm that they inflict on the lives of these children and their possibilities for a hopeful future. Child labor also has important economic implications.”³⁰⁶

³⁰⁴ Qvortrup Jens, “School Work, paid work and the changing obligations of Childhood” In Mizen, P., C. Pole and A. Bolton (eds.), *Hidden Hands: International Perspectives on Children;s Work and Labour*, London: Routledge Farmer, 2004, p.91.

³⁰⁵ Obayelu Abiodun Elijah and Victor Okoruwa, *Analysis of Child Labour and School attendance in Nigeria*,p.6. Against this background , the president of Nigeria in 1999 launched the new Universal Basic Education plan that requires the first nine years of schooling to be free and compulsory (EFA 2001) The plan aims to improve the relevance, efficiency, and quality of schools and to create programs to address the basic education needs of nomadic and out-of-school children, youth and adults (Felix, 1999). In its 2000 budget, the Government of Nigeria also budgeted 46 billion naira (US\$460 million) to support this plan. Cf. *Ibid*

³⁰⁶ Gordon Betcherman et. al “Child Labour, Education, and Children’s Rights” in *World Bank Social Protection Discussion Paper Series*, No.0412, Washington:The World Bank, July 2004. Most notable are the substantial future income losses that working children will incur because of the negative consequences working will have on their human capital, including their health and education. Since children are more likely to work and not go to school if their parents worked as children, the economic losses associated with child labor and their implications for poverty are often transmitted across generations. Cf. *Ibid*.

5.3.0 What Must be Done to Achieve this Objective: The Way Forward (What, Who and How?)

5.3.1 What to be Done

It will be good at this point to borrow a leaf from the Child Labour (Prohibition and Regulation) Amendment Bill, 2012 introduced in India on December 4, 2012 by the Minister of Labour and Employment Mallikarjun Kharge. This law was made to regulate the activities of working children. I think that this regulation can also be applied in the Nigerian situation to achieve this very goal. This Bill seeks to amend the Child Labour (Prohibition and Regulation) Act, 1986, which prohibits the engagement of children in certain types of occupations and regulates the condition of work of children in other occupations, thus: “The Act prohibits the employment of children below 14 years in certain occupations, such as automobile workshops, carpet weaving, power loom industry, mines and domestic work, etc. In light of the Right of Children to Free and Compulsory Education Act, 2009, the Bill seeks to prohibit employment of children below 14 years in all occupations except where the child helps his family after school hours. It prohibits employment of adolescents in hazardous occupations as specified (mines, inflammable substance and hazardous processes).³⁰⁷

Furthermore, “The Bill enhances the punishment for employing any child in an occupation. It also includes a penalty for employing an adolescent in a hazardous occupation. The penalty for employing a child was increased to imprisonment between 6 months and two years or pay fine. The penalty for employing an adolescent in a hazardous occupation is imprisonment between 6 months and two years or pay fine. The government may confer powers on a District Magistrate to ensure that the provisions of the law are properly carried out. The Bill empowers the government to make periodic inspection of places at which employment of children and adolescents are prohibited.”³⁰⁸ Generally, children of any age are permitted to work for businesses entirely owned by their parents, except those under 16 may not be employed in mining or manufacturing and no one under 18 may be employed in any occupation the Secretary of Labor has declared to be hazardous.³⁰⁹ The adoption of labour laws and regulations “is an important means of implementing ILO standards, promoting the

³⁰⁷ Cf. Mallikarjun Kharge, “Prohibition and Regulation” in Amendment Bill introduced in the Rajya Sabha on 4th December, 2012 (Accessed 11th November 2017 from www.prsindia.org/billtrack/the-child-labour-prohibition-and-reg)

³⁰⁸ Ibid:

³⁰⁹ Cf. Robert A. Fanning et. al, *Worker's Compensation Handbook: A Comprehensive Guide to Worker's Compensation in Indiana*, Indiana Chamber of Commerce, 1980, pp. 204 – 207.

ILO Declaration and the Fundamental Principles and Rights at Work, and putting the concept of Decent Work into practice. Under the ILO Constitution, the Office is committed to offering technical cooperation and advisory services to member States and to assist them in assessing and, where necessary, framing or revising their labour laws. This includes assistance in the development of national laws and regulations to allow ratification of Conventions or implementation of the corresponding principles.”³¹⁰ Such laws are enacted and most importantly must be inspected. This is so because sometimes it is not enough just to make laws, but the application of these laws are most important.

5.3.2 How and Who Regulates Poverty which is the Major Cause of Child Labour: The Empowerment of Farmers (Parents) by the Government

It is necessary for the federal government to create awareness and organize enlightenment programs which are aimed at educating the masses on the importance of agriculture for developing nations such as Nigeria and the dangers of much dependence on Oil economy. Nothing last forever, the Oil wells would one day dry up and become a history. Nigerians should be informed about the impending danger of not taking the agricultural sector serious and looking for employment only in industries, offices, etc. Also, farmers should be given the necessary assistance they needed from the government in order to function well in their areas especially in rural communities. Ike suggested that “the government of Nigeria and her economic planners must realize that the time has come when the country must be placed back on the path of agricultural independence. Small farmers must, therefore, be supported, as well as the big farmers. If the small farmers are supported, they can adequately feed their families and the excess goes to the community. This will minimize the rate of unemployment as many more people may find joy and satisfaction in farm work- since it will become a rewarding job, and the fruits of the earth will be maximized to the extent that neighbouring countries with poor climate can benefit from Nigeria.”³¹¹ Reasoning along this line of thought, Anthony Ekanem advised the country in ‘The Nigerian Observer Newspaper Art’ to take a cue from Malaysia and other countries that revolutionized their agriculture. He maintained that “Malaysia came to Nigeria in the early 70s to obtain palm seedlings from us which, today has

³¹⁰ International Labour Organisation on Labour Laws, Accessed 10th May, 20117 from www.ilo.org/global/topics/lang--en/index.htm).

³¹¹ Ike, O., op. Cit., p.507.

become a major exporter of the product, while Nigeria is still groping in the dark,”³¹² he said. Therefore, the country faces grave challenges, mostly that of eradication of poverty, unemployment, fostering socio-economic development, etc. The Nigerian Observer Newspaper Art by David Glory has it that “the current food crisis and the poverty level in the country could be overcome only if government would encourage every Nigerian to embrace farming, articulate research findings and assist farmers through subsidies and loans”³¹³ he suggested. Similarly, Ike also remarked further that “by reversing all those negative influences which impede the progress of agricultural work, and thereby allowing the workers through education, financial support, encouragement and incentives to form co-operative unions, made up of a group of farmers with all rights, privileges and responsibilities.”³¹⁴ The Nigerian government should, therefore, promote agriculture in order to empower the parents and solve the problems of unemployment through:

(a) Provision of accessible roads and good transport system. The availability of accessible road and transport system is a necessity for agriculture to thrive in Nigeria. Many farmers get discouraged when they remember the stress that they will have to go through before bringing their farm produce to the end users (consumers). The prices of the products are usually outrageous when they eventually hit the market.

(b) Provision of loans to farmers and fertilizer

(c) Provision of agricultural latest technology (d) Ban importation of certain food / farm produce

(e) Embarking on rural electrification projects that will help in the preservation of farm produce.

(f) Provision of pest control and other useful agriculture chemicals. (g) Grant of government subsidy- not only in petroleum.

(h) Provision of Agric insurance and social security.³¹⁵

³¹² Ibid.

³¹³ David Glory, “Restoring the Glory of Nigerian Agriculture” in The Nigerian Observer Newspaper, May, 1968.

³¹⁴ Ike, O., op. cit., p.509.

³¹⁵ Cf. Frank Mwenifumbo, “Achieving Sustainable Development and Promoting Development Cooperation” in Dialogues at the Economic and Social Council, United Nations New York, 2008, pp.131-134.

These points and strategies are very important because “there is a lack of forms of legal protection for the agricultural workers themselves and their families in case of old age, sickness or unemployment. Legal titles to possessions of small portions of land that someone has personally cultivated for years are disregarded, or they are left defenseless before the ‘landlord and land-hungry’ more powerful individuals and groups”³¹⁶ Worthy of note is that agriculture in Nigeria was a major employment sector even before the advent of colonialism. Until then, jobs were available for all even the poor ones. Therefore the agricultural sector if revived by the government and given adequate attention and assistance will absorb more than half of the unemployed in the country.

Apart from this, the government has mapped out many strategies for regulating child labour, such as the minimum wage basic salary for workers. This implies the increment of the salary of workers especially those working under the government. The problem here is that this policy can only help very few people employed by the government, but the people in the rural areas may not benefit from this. There is also the creation of job opportunities by the government where the parents will be working and earn some basic salaries in order to take care of their basic needs. Similarly, some of these policies will help to solve the problem of poverty to some extent and not totally. We will see some of other strategies as we go on in the discussion.

5.3.3 How to Regulate Child Labour with regard to Education: Educational System and the Urgent Need for Reform as one of the Ways to Achieve this Goal.

The importance of education to the growth of any nation cannot be over-emphasized. It will be good to point out immediately that with proper education for all, poverty can be solved to a greater extent. Education is a human right that should be accorded to all human beings, solely by reason of being human, whether poor, rich, etc. The relationship between education and development is such that the two are inseparable and education therefore stays at the heart of development. Education has improved productivity, health, etc. It has reduced the negative features of life such as crime and brings about empowerment.³¹⁷ Little wonder Fafunwa defines education as “the aggregate of all the processes by which a child or adult develops the

³¹⁶ John Paul II., LE, n. 21.

³¹⁷ Cf. EFA Global Monitoring Report (2002), Education for All: Is the World on Track. Paris(Accessed 14th May, 2015 from unesdoc.unesco.org/images/0012/001297/129777e.pdf)

abilities, attitudes and other forms of behaviour which are of positive value to the society in which he lives, that is to say, it is a process of disseminating knowledge either to ensure social control or to guarantee rational direction of the society or both.”³¹⁸ Gloria Kann pointed out the major role of education in the life and well being of societies. For her, the nation’s progress is intricately linked to the vitality and impact of its educational system. And it is by no means the only or magical door to ones opportunity in life to achieve greatness. It also remains one of the principal ways to achieve fuller human development and thus to reduce poverty and exclusion.³¹⁹ On a very important note, Ajayi, J.F. Ade observed and pointed out that “...education in African schools, particularly in Nigerian grammar schools, was still "too literary; ... not practical, not adapted to the needs of a developing agricultural nation." This type of academic education only "tends to produce proud, lazy people who dislike manual labour and prefer white-collar jobs.”³²⁰ S.J. Coockey, the then Federal Adviser on education, expressed the view that the purpose of Nigerian education should be reviewed with a view to relating the curriculum to the needs and aspirations of the society. And currently the Nigerian National Policy on Education emphasizes the need to relate school curricula to national manpower needs.³²¹ All these demonstrate the fact that child labour should be regulated to make sure that education for all is achieved, and children are not deprived of education as a result of child labour. Nothing should distract their education in order for them to realize their dreams in life.

5.3.4 The Need to Create Awareness among Parents and Guardians through Research, Workshops and Seminars.

In order to enhance quality education and to regulate child labour in Nigeria, there is an urgent need to encourage and finance research programs, workshops and seminars among parents and guardians. Unfortunately, research interest by the government at all levels and corporate organization is nothing to write home about in the recent times. Such research programs which have the basis for the socio-economic, political, scientific and technological

318 Odia, L.O., “Educational System in Nigeria Problems and Prospects” in the Universal Welfare Sustainable Community Development Center, Benin City, 2007, p.86.

319 Cf. Kann, G. *Creating Opportunities for Humane Work: Work as Key to the Social Question; The great Social and economic transformations and the subjective dimension of work.* Libreria Editrice Vaticana, 2002. p.184

320 Ajayi, J.F. Ade., “The development of Secondary grammar-school education in Nigeria” in the *Journal of the Historical Society of Nigeria*, 2(3) 1963, p. 517-535.

321 Cf. Coockey, S.J., “The need to review the purpose of education in present-day Nigeria” in the *Journal of Education*, 1970, 14(1) cited by Professor A.A Adeyinka op.cit:

advancement of our most admired developed nations of the world today, unfortunately, has no place in Nigeria. Therefore, conscious effort towards qualitative and durable educational system need to be put in place for posterity in Nigeria, and for the numbers of its people, their level of skills, attitudes to work and desire for self-improvement.³²² When all are well informed through these processes, the task of regulation will be achieved.

5.3.5 Correcting the Negative Effects of Corruption and a Mentality Change

Nigeria has been unlucky and has always failed when it comes to leadership and administration. Many problems we suffer today in Nigeria, such as: unemployment, child labour, corruption, poor standard of education, crimes, abuses in all levels etc, can be traced back to bad and corrupt government and leadership. Thus in the very words of Chinua Achebe; “The trouble with Nigeria is simply and squarely a failure of leadership. There is nothing wrong with the Nigerian character. There is nothing wrong with the Nigerian land or climate or water or air or anything else. The Nigerian problem is the unwillingness or inability of its leaders to rise to the responsibility, to the challenges of personal example that are the hallmark of true leadership.”³²³ Since independence, it has been a series of military interventions and can be better explained as a military dictatorship, which have destroyed not only the country, but also her cultural heritages and values. In an interview with Mbazulike Amaechi (Minister in the first Republic) by Daily Sun Newspaper, he traced the derailment of the nation to the military coup of 1966. As he pointed out that “there was no cause for that he says. It was a most unpatriotic treason that was committed in 1966. There was a country only six years old....and when we came in, our greatest problem was manpower to run the country, and that was why the priority was given to the founding of universities.”³²⁴ The military led the country for 38 years. So at the time they were handing over in 1979, there were a few remnants of the original nationalists that fought for independence. But by the time they came

³²² Cf. Aina, A.T. & A. T. Salau., The challenge of sustainable Development in Nigeria: Nigerian Environment Study/Action Team (NEST). An NGO report prepared for the United Nations Conference on Environment and Development, Rio De Janeiro, Brazil. 1992.

³²³ Achebe, C., The trouble with Nigeria, Johannesburg :Heinemann Publishers, 1983, p.1.

³²⁴ Cf. Chidi Obineche(Writer) “Secrets of the Nigeria Civil war, Interview with Mbazulike Amaechi” in Daily Sun Newspaper, Monday, May 7, 2012. Worthy of note is that Dr. Amandi Azukiwe founded the University Of Nigeria, Nsukka, Obafemi Awolowo founded the University of Ife, and Ahmadu Bello founded Bello University. The minister of education Dr. Jaja Wachukwu was instructed to concentrate on warding massive scholarships to Nigeria students to study anywhere in the world. The few industries we set up from the proceeds then, palm produce from the East, cocoa from the West, groundnuts from the north, were being managed until the unpatriotic military took over in 1966.

back again in 1983 and stayed on till 1999, there were no longer politicians who were active in the struggle for independence. Some of them had grown old, some had died, so the only people that took over in 1999 were the surrogate of the military, the collaborators of the military. People who joined the military in looting and stealing are the same people who are still our leaders and statesmen today. They use their wealth to influence every system in the country and even manipulate elections to control the senate and the national assembly. If the nationalists had been in power and their successors were also nationalists, they would have known the history and the problems of the country. But because of the 38 years gap created by the military, there was no proper handing over.³²⁵

Nigerians, therefore, should rise today and reject those habits which cripple the national aspiration and inhibit the chances of becoming a modern and attractive country. Unregulated child labour is one of the examples of these practices. Nigeria has many thoughtful men and women of conscience, a large number of talented people. Worst forms of child labour have to do with the consciences of the people employing these children in such situations. Nigeria is endowed with vast human and material resources. Lamenting on the ugly situation of Nigeria, Chinua Achebe said that “the countless billions that a generous Providence poured into our national coffers over the years would have been enough to launch the nation into the middle-rank of developed nations and transformed the lives of the poor and needy. But what happened to it? Stolen and salted away by people in power and their accomplices. Squandered in uncontrolled importation of all kinds of useless consumer merchandise from every corner of the globe and embezzled through inflated contracts to an increasing army of party loyalists who have neither the desire nor the competence to execute their contracts; consumed in the escalating salaries of a grossly overstaffed and unproductive public service.”³²⁶

³²⁵ So, the people who are in government now are the ones who were either not yet born or were too young when the journey started. So they don't know the history and problems of the country and the struggles so far. And they don't want to know because the people who helped them to come to power are people who believed and still believe in money. That is why there is so much corruption and other related activities in the country. These have eaten deep into the blood of the people that it will be very difficult to control and come to normalcy.

³²⁶ Achebe , C., *The Trouble with Nigeria*, op. cit., p.2-3.

5.3.6 Patriotism as one of the Ways to achieve this Goal

A patriot, according to Chinua Achebe is a person who loves his country.³²⁷ Similarly according to Achebe, he is not a person who says he loves his country, not even a person who shouts or swears or recites or sings his love of his country, instead he is the one who cares deeply about the happiness and well-being of his country and its people. Patriotism is an emotion of love directed by a critical intelligence. A true patriot will always demand the highest standards of his country and accept nothing but the best for and from his people. He will be outspoken in condemnation of their short-comings without giving way to superiority, despair or cynicism.³²⁸ Then going further by this definition within the Nigerian context, he explained; “Nigerians for him are among the world’s most unpatriotic people.”³²⁹ This is not because Nigerians are particularly evil or wicked; in fact they are not. It is rather because patriotism, being part of an unwritten social contract between a citizen and the state, cannot exist where the state reneges on the agreement. The state undertakes to organize a society in such a way that the citizens can enjoy peace and justice, and the citizens in return agree to perform his patriotic duties. Quite clearly patriotism he argues is not going to be easy or comfortable in a country as badly run as Nigeria is.³³⁰ Leaders have run the country down, and the spirit of patriotism is dead. Little wonder some of our leaders close their eyes to see the evil that is being perpetrated in our country every day, especially the issue of unregulated child labour. Bamanga Tukur gave a more practical explanation of patriotism, thus: “Patriotism involves the love for one’s country and the readiness or preparedness to defend it at all cost. Many Nigerians are not well-disposed to rendering services free-of-charge in the interest of the nation. There are Nigerians, who strongly believe the country is not worth living for. It is interesting or amazing to know that reasons adduced for their nonchalant attitude is genuine.”³³¹ How for instance, he argues further, would a country, so blessed with natural resources as Nigeria, have her citizen wallow in abject poverty. Nigerians get to hear their leaders talk about the quantum of revenue generated from the black gold, yet the people live in misery because the revenue is being used for selfish ends. Majority of the citizens do not believe that the government is set up to achieve the good of the society. Government, most people argue is established as an agency or institution of the state to achieve the wish of

³²⁷ Cf. *Ibid.*, p.15.

³²⁸ Cf. *Ibid.*, p.16.

³²⁹ *Ibid.*, p.15.

³³⁰ *Ibid.*

³³¹ Tukur, B Alhaji., “Why Nigerians are not Patriotic”, in *Osun Defender* (Nigeriannewspaper) Friday, May 25, 2012.

very few people.³³² Corruption is normally the order of the day in our national dailies and citizens experiences this every day, even in the highest quarters. A change of attitude and mentality can bring about a positive change in Nigeria.

5.4 Conclusion

In our discussions so far, it is already a fact that child labour is a widespread phenomenon in the world's economies and has been for generations. It encompasses numerous complexities that call for elaboration and clarification for better understanding of the concept. It is often confused with child work, but in recent time it has been put in the spotlight by activists, politicians and economists alike. Most of the popular discussion has centered on the harmful effects of child labour and ways to curtail its incidence. The evidence presented here suggests that a general claim that developing countries today are too poor to regulate or ban child labour is without economic foundation. Indeed, to the extent that production in these countries is supported by external demand in industrialized countries such as the United States, developing countries could be in a better position to regulate or ban child labour today than industrialized countries were in the past, if the high-income, importing countries were to support such a policy. In other words, it is possible that developing countries that acted to eliminate child labor might have put themselves at a competitive disadvantage in certain international markets and therefore price themselves out of the market."³³³ Regulation is the best way forward in this situation, especially for the developing countries. It will be good here to borrow a leaf from the 'National Legislation and Policies Against Child Labour in India' The Constitution of India (26 January 1950), through various articles enshrined in the Fundamental Rights and the Directive Principles of State Policy, lays down that: "No child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment (Article 24); The state shall provide free and compulsory education to all children of the age six to 14 years. (Article 21 (A)); The state shall direct its policy towards securing that the health and strength of workers, men and women and the tender age of children are not abused and that they are not forced by economic necessity to enter vocations unsuited to their age and strength (Article 39-e); Children shall be given

³³² Cf. Ibid.

³³³ Obayelu Abiodun Elijah and Victor Okoruwa, Analysis of Child Labour and School attendance in Nigeria, p.2.

opportunities and facilities to develop in a healthy manner and conditions of freedom and dignity and that childhood and youth shall be protected against moral and material abandonment (Article 39-f)³³⁴ Conclusively according to Michael et al., “all policies relating to working children, including policies on the minimum age for employment, should be assessed according to their impact on children. Assessment of projects must aim to establish how far and in what ways they have improved the lives of children: this question is not answered by statistics on changing numbers of children in the labour force. In general, this will require projects to collect baseline data on targeted children, in order for a reasonable before and after comparison to be made. Such initial data is important for projects in any case, so projects teams understand how working children think their lives could be improved. Assessors also need to understand why things work as they do: how different factors in children’s lives and work interrelate.”³³⁵ All these policies must articulate the basic needs and necessities of the child so that they will have a positive effect on the children.

³³⁴ Cf. Osaretin, Nigeria Child Labour- A Dehumanizing Slave Master. The state shall endeavour to provide within a period of 10 years from the commencement of the Constitution for free and compulsory education for all children until they complete the age of 14 years (Article 45). It will be all right if we put the blame on the parents, but unfair to totally think that they are the real cause of child labour. If we look on the bright side, these working children are essential for the survival of their immediate family. But if as a result of industrial revolution and economic boom in Africa, there are enough job opportunities for the parents and increases in their wages that they could afford to send their children to school instead of work, child labour will not be an issue. So I think the real cause of the problem is political.

Most African countries have leaders who rule their country for reasons that best serve their desire or interest instead of the desires of the citizens. To reduce child labour, because I doubt it can be stopped totally like slave trade, all hands must be on deck; hands which include those of the government, the parents, the private agencies, NGOs, the media, and even the children themselves. They all must work together as it is the sole responsibility of everyone to protect and defend children against the dehumanizing slavery of child labour caused by poverty.

³³⁵ Michael Bourdillon et al., *Rights and Wrongs of Child Work*, p.216.

This task is especially appropriate for independent researchers, such as many in academia, who have the requisite social science skills and no vested interests to impede their objectivity. Studies of this type are badly needed and can make major contributions to the improvement of policies and programs governing the work of children. Cf. *Ibid.*

Chapter 6: The Church on Child Labour

6.0 Introduction

The church has always had a special place in her heart for young people and more especially for children. This comes from Luke's account of the gospel (Now they were bringing even infants to him that he might touch them; and when the disciples saw it, they rebuked them. But Jesus called them to him saying, let the children come to me, and do not hinder them; for to such belongs the kingdom of God. Truly, I say to you, whoever does not receive the kingdom of God like a child shall not enter it) Christ pointed out the unique graces that children have as a result of their nature. In this chapter therefore, a detailed presentation of the church's position on work generally will be explained. This will pave a way also for her position on the issue of child labour and the way forward. The catholic church's position on child labour in Nigeria will be presented and some of her strategies to regulate the types of work children do will also be explained also.

6.1.0 The Church on Work Generally

The Church just like the civil society has always been very careful in matters concerning women and children. Little wonder, Pope Leo XIII admonishes: "... work which quite suitable for a strong man cannot rightly be required from a woman or a child. And with regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed. For, just as very rough weather destroys the buds of spring, so does too early an experience of life's hard toil blight the young promise of a child's faculties, and render any true education impossible."³³⁶

Pope John Paul II is one of the most known figures in the church and in the world that has contributed immensely to the burning issues of the time, for example the issue of working children. One of his greatest achievements is his reflections and contributions on the issue of human work and attaching more dignity, respect and value to human work. This is contained in his encyclical *Laborem Exercens* (On Human Work). In the introductory part of this encyclical, the Pope presented work as part of the distinguishing characteristic of man, thus: Only man is capable of work, and only man works, at the same time by work occupying his existence on earth. Pope John Paul II believes that work and its problems are at the heart of

³³⁶ Leo XIII., *Rerum Novarum* on Capital and Labour, No.42, Libreria Editrice Vaticana, 15 May 1891.

the social problems of the modern age. If the work ethic is in danger, the Pope believes so are certain important values of mankind, since work endangers fidelity, responsibility, and self-realization.³³⁷ Going further on this discussion, he gave an interesting definition of work as “any activity by man, whether manual or intellectual, whatever its nature or circumstances; it means any human activity that can and must be recognized as work, in the midst of all the many activities of which man is capable and to which he is predisposed by his very nature, by virtue of humanity itself.”³³⁸ Work as contained and expressed in his definition is a human activity and only man as a result of his being as man can be said to work in the real sense of the word. This re-echoes the words of the Psalmist, thus “O Lord, our Lord, how majestic is your name in all the earth! You have set your glory above the heavens. Out of the mouth of babies and infants, you have established strength because of your foes, to still the enemy and the avenger. When I look at your heavens, the work of your fingers, the moon and the stars, which you have set in place, what is man that you are mindful of him, and the son of man that you care for him? Yet you have made him a little lower than the heavenly beings and crowned him with glory and honour. You have given him dominion over the works of your hands, you have put all things under his feet, all sheep and oxen, and also the beasts of the field, the birds of the heavens, and the fish of the sea, whatever passes along the paths of the seas. O Lord, our Lord, how majestic is your name in all the earth.”³³⁹

The Genesis account of creation also captures this meaning that God created man in his image and likeness and which distinguished him from every other animal created by God. This is so because the activities of other animals cannot be called work in the real sense of the word. For this purpose according to his holiness, man was created by God to continue the work of creation and renewing the face of earth. For other animals, their activities could be seen only as a means of sustaining their existence, whereas man works and by working occupying his existence on earth. He received this mandate from God “subdue and fill the earth”³⁴⁰ So, when man works, he is not just actually only doing a manual work, but actually responding to the divine invitation to participate in the activity of his creator through work. Little wonder the Pope maintained that, “from the beginning therefore he is called to work”³⁴¹. In doing so, he is also responding to this divine injunction, thus, “Be fruitful and multiply, and fill the

³³⁷ John Paul II., *Laborem Exercens*: Encyclical on Human Work, Vatican City, 14th September, 1981

³³⁸ *Ibid.*

³³⁹ The New Jerusalem Bible, Psalm,8

³⁴⁰ *Ibid.*

³⁴¹ John Paul II., *Laborem Exercens*, No.1.

earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth”.³⁴² (Genesis: 1:28)

To the general assembly gathered for the 68th Session of the International Labour Organisation in Geneva, Switzerland nine months after the encyclical “*Laborem Exercens*”, his holiness stressed the universality of work as he writes: “In its fundamental characteristics, the reality of work is the same all over the world, in every country and in every continent; the reality of work is the same behind multiplicity of forms”³⁴³, whether manual or intellectual, whatever its nature or circumstances. Without concealing the specific differences which may be observed here and there in the world of work, the reality of work unites all men in an activity which has the same source and the same significance. As a consequence, work cannot therefore be looked upon as mean, or superior, since all work, done by man gains its dignity through man.³⁴⁴

The Pope distinguished between different types of work: “manual work and brain work; work in farming and work in industry; work in the service sector and work in research; the work of the craftsman, the technician, the educator, the artist or the housewife; the work of the factory operative and the work of the supervisors and managers... In the diversity and universality of its forms, human work unites men because every man seeks in work ‘to realize his humanity, to fulfill the calling to be a person that is his by reason of his very humanity’”³⁴⁵ This implies that work is essential to man and defines him.

According to Pontifical council for justice and peace *Compendium of the Social Doctrine of the Church* Numbers: 291-292, thus “Employment problems challenge the responsibility of the State, whose duty it is to promote active employment policies, that is, policies that will encourage the creation of employment opportunities within the national territory, providing the production sector with incentives to this end. The duty of the State does not consist so much in directly guaranteeing the right to work of every citizen, making the whole of economic life very rigid and restricting individual free initiative, as much as in the duty to “sustain business activities by creating conditions which will ensure job opportunities, by stimulating those activities where they are lacking or by supporting them in moments of

³⁴² The New Jerusalem Bible, Genesis: 1:28

³⁴³ John Paul II, *The Way of Solidarity*, Address to the International Labour Organisation in Geneva, Switzerland, 68th Session, London: Published by the Catholic Truth Society, 15th June, 1982 p. 282.

³⁴⁴ Ike, O., *Value Meaning and Social Structure of Human Work*, Op. Cit., p.207

³⁴⁵ John Paul II. *The Way of Solidarity*, op. cit., p. 282-283.

crisis”³⁴⁶ All these sayings by the Roman Pontiff do not guarantee every form of child labour especially the unregulated ones. Those works which can help the child for his mental and physical developments are encouraged but the ones through which he is usually abused are not allowed and must be stopped.

6.1.1 The Church on Child Labour

The Catholic Church believes that children because of their nature should be protected and that child labour is a form of violence and threat against children. This has been a problem for the church and the society for many years in society and is still a problem till today as a result of increasing rate of poverty experienced mostly in third world countries. Therefore “child labour, in its intolerable forms, constitutes a kind of violence that is less obvious than others but it is not for this reason any less terrible.”³⁴⁷ This is a violence that, beyond all political, economic and legal implications, remains essentially a moral problem. Pope Leo XIII issued the warning as regards this, thus: “in regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed. For, just as very rough weather destroys the buds of spring, so does too early an experience of life's hard toil blight the young promise of a child's faculties, and render any true education impossible”³⁴⁸ This is how child labour that is unregulated destroys the children from the beginning and also destroys his future if not regulated.

Child labor is a social problem that has attracted the attentions of many people and groups. The church is one of these groups. The Church constantly points out the need to respect the dignity of children and also recognizes the importance of children in society. Therefore, child labour in its various forms are major social problems in the eyes of the Catholic Church. The issue of child labour is not explicit in his statements but implicit. Little wonder he said that, it

³⁴⁶ Pontifical council for justice and peace: Compendium of the Social Doctrine of the Church, Vatican, 2004. Numbers: 291-292.

Given the quickly developing global dimensions of economic-financial relationships and of the labour market, there is a need to promote an effective international cooperation among States by means of treaties, agreements and common plans of action that safeguard the right to work, even in the most critical phases of the economic cycle, at the national and international levels. It is necessary to be aware of the fact that human work is a right upon which the promotion of social justice and civil peace directly depend. Important tasks in this regard fall to international organizations and to labour unions. Joining forces in the most suitable ways, they must strive first of all to create “an ever more tightly knit fabric of juridical norms that protect the work of men, women and youth, ensuring its proper remuneration. Cf. Ibid.

³⁴⁷ Catechism of the Catholic Church, Nairobi: Pauline Publications, 2001, No. 639.

³⁴⁸ Leo XII, Encyclical Letter *Rerum Novarum*: Acta Leonis XIII, 11 (1892), 129.

is obvious then that every human being who is capable of working must work including children. Our concern instead should be what type of work children should do, the conditions and their effects on the child. The Church in the past and also in this present age has always been very careful in matters concerning women and children because of their fragile natures. Pope Leo XIII therefore admonishes that; "... work which quite suitable for a strong man cannot rightly be required from a woman or a child. And, in regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed. For, just as very rough weather destroys the buds of spring, so does too early an experience of life's hard toil blight the young promise of a child's faculties, and render any true education impossible"³⁴⁹

Child labour therefore in its intolerable forms, constitutes a kind of violence that is less obvious than others but it is not for this reason any less terrible. This is a violence that is beyond all political, economic and legal implications and thereby remains essentially a moral problem. Pope Leo XIII issued the warning that "in regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed. For, just as very rough weather destroys the buds of spring, so does too early an experience of life's hard toil blight the young promise of a child's faculties, and render any true education impossible"³⁵⁰

Poverty is the major reason why children work and as a result of this, children work for their own survival and also for that of their families. This is so because some families seriously depend on the small amount of money they bring home after work for survival, no matter the risks involved. However, some adults sometimes take advantage of their helplessness and abuse and exploit them. Child labour consequently weakens the education system because the children involved are sometimes school drop outs. Those who go to school do not really take their studies seriously and they grow up to constitute nuisances to their families and society at large. Even with the knowledge that, at least for now, in certain countries like Nigeria and other third world countries, the contributions made by child labour to family income and the national economy is immense and indispensable, and that in any event certain forms of part-time work can prove beneficial for children themselves, the Church's social doctrine therefore condemns the increase in "the exploitation of children in the workplace in conditions of

³⁴⁹ Leo XIII., *Rerum Novarum*, No. 42.

³⁵⁰ *Ibid.*

veritable slavery”³⁵¹ This exploitation represents a serious violation of human right and dignity, with which every person, “no matter how small or how seemingly unimportant in utilitarian terms” is endowed.”³⁵² This calls for an urgent attention because of its devastating effects on the child.

Christians are therefore called then to stand up for the voiceless children who are being exploited and abused every day in different parts of the world. According to the Compendium of the Catholic Doctrines, “It is essential to engage in a battle, at the national and international levels, against the violations of the dignity of boys and girls caused by sexual exploitation, by those caught up in paedophilia (sic), and by every kind of violence directed against these most defenceless (sic) of human creatures. These are criminal acts that must be effectively fought with adequate preventive and penal measures by the determined action of the different authorities involved.”³⁵³ For the United States of Catholic Bishops Conference “Catholics have beliefs that call us to protect children, especially those most susceptible to child labour. The first belief is that the Church proclaims that human life is sacred and that the dignity of the human person is the foundation of a moral vision for society. Catholics believe every person is precious and that people are more important than things:”³⁵⁴ This belief therefore stands as a guiding principle for the protection of children.

6.2.0 The Role of the Church in Nigeria on the Issue of Child Labour and its Regulation

According to ‘Catechism of the Catholic Church’ “child labour in its intolerable forms, constitutes a kind of violence that is less obvious than others but it is not for this reason any less terrible.”³⁵⁵ It is against this backdrop that child labour is seen as a moral and social issue, as children are meant to be looked after and cared for, until their young bodies and minds are sufficiently developed which includes giving them the right of education, time to play, food, shelter and support. The church’s social doctrine states that child exploitation is a

³⁵¹ Ibid.

³⁵² Ibid.

³⁵³ Pontifical Council for Justice and Peace, Compendium of the Catholic Social Doctrines, No.245.

³⁵⁴ Dennis M. Schnurr (General Secretary) “The Summary Report of the Task Force on Catholic Social Teaching and Catholic Education” by The United States Conference of Catholic Bishops, (Accessed 10th June 2017, www.usccb.org > ... > Catholic Social Teaching).

³⁵⁵ Pontifical Council for Justice and Peace, “Compendium of the Social Doctrine of the Church” to His Holiness Pope John Paul II, Master of Social Doctrine and Evangelical Witness to Justice and Peace, Vatican City, 2nd April, 2004, No. 639.

serious violation of a person's dignity and right, no matter how small or insignificant they may seem to be in the society. Catholic social teaching tells us that we should live in a good and just society. This slavery that these children are forced to undergo opposes the social teachings of the church. It shows that the world they live in is unjust and unfair, full of violation and violence. This also defies the church's teaching of the common good and human right. The common good refers to the good of all within the community. The violation of these children by not showing them love and care within the community they live in is a clear case that they have been deprived of their childhood and have been forced to be a part of this corrupt environment whilst being taken advantage of. The universal destination of goods refers to God's creation being used to benefit everyone. The use of children for others benefit is misusing the God's creation and thereby defying and abusing him or her.³⁵⁶ The perpetrators of unregulated child labour do so "because children are considered an easy source of cheap labour, they are employed in many third world countries in the diamond mining industry. This is because of family poverty or in some cases due to the government greed in using underage workers as a cheap source of employment. In some areas in Africa, children make up more than a small part of the workforce. A survey on the number of diamond miners in Angola in Africa found that 46% of miners were between the ages of 5 and 16."³⁵⁷ However, "children work for their survival and that of their families because the families depend on them working and on the small amount of money they bring home to their families. However, sometimes adults take advantage of their helplessness. Child labour also weakens the education system because the children in these societies are missing out on an education that could help them get better jobs as adults. This is a problem within people's cultural and social attitudes and traditions. The following quote from the Pontifical council for justice and peace details the catholic teachings on child labour."³⁵⁸ Describing this situation further, The Catechism of the Catholic Church states that Child labour, "in its intolerable forms, constitutes a kind of violence that is less obvious than others but it is not for this reason any less terrible. This is a violence that, beyond all political, economic and legal implications, remains essentially a moral problem. Pope Leo XIII issued the warning: in regard to children, great care should be taken not to place them in workshops and factories until their bodies and minds are sufficiently developed. For, just as very rough weather destroys the buds of spring,

356 Cf. Ibid.

357 The Catholic Church's Teaching (Accessed, November 3, 2014 from <https://ethanwillson.weebly.com/the-churchs-teachings.html>)

358 Cf, Ibid. The Catholic Church believes that children should be protected and that child labour is a form of violence against children and that this has been a problem in society for hundreds of years and is still a problem in today's society in many poorer countries in the world.

so does too early an experience of life's hard toil blight the young promise of a child's faculties, and render any true education impossible."³⁵⁹ After more than a hundred years, the blight of child labour has not yet been overcome. Even with the knowledge that, at least for now, in certain countries the contribution made by child labour to family income and the national economy is indispensable, and that in any event certain forms of part-time work can prove beneficial for children themselves, the Church's social doctrine condemns the increase in "the exploitation of children in the workplace in conditions of veritable slavery. This exploitation represents a serious violation of human dignity, with which every person, 'no matter how small or how seemingly unimportant in utilitarian terms' is endowed."³⁶⁰ On the World Day Against Child Labour in Vatican, the Pope said that: "today, the World Day Against Child Labour is being celebrated all over the world, with a reference in particular to the Exploitation of Children in domestic work: Listen, it is a deplorable phenomenon which is constantly increasing, especially in poor countries. There are millions of children, mostly girls, who are victims of this hidden form of exploitation that often involves abuse, mistreatment and discrimination. This is a real form of slavery."³⁶¹

Therefore, "the Catholic Church has established permanent structures through which it operates in the form of pontifical commissions and councils as a practical measure to concretize the will of the Church on the issues of Justice and Peace and at the specific request of the Second Vatican Council."³⁶² Let us see some of the efforts made by the Catholic Church in Nigeria in order to regulate child labour because of the exploitations and abuses involved.

³⁵⁹ Ibid.

³⁶⁰ Ibid.

³⁶¹ Pope Francis, "General Audience" at the Conclusion of his weekly General Audience, Vatican City, 12th June, 2013. Pope Francis commemorated the World Day against Child Labor, an initiative of the International Labor Organization that brings attention to the plight of exploited child laborers. The pope goes further to say that it is my heartfelt hope that the international community will initiate still more effective measures in addressing this authentic plague. All children must be able to play, study, pray and grow, in their families, this in a harmonic context, in love and serenity but these people instead of playing are slaves, and this is a plague. This is their right and our duty. A serene childhood allows children to look with confidence towards life and tomorrow. Woe to those who stifle them in their joyful enthusiasm of hope!

³⁶² Gaudium et Spes, Vatican City, 7th December, 1965, No. 90.

6.2.1 The Roles of Justice, Development and Peace Commission (JDPC) of the Church for a Proper Regulation of Child Labour

Justice, Development and Peace Commission is one of these structures and institutions established by the church in Nigeria, to maintain peace and regulate abuses and exploitations like the unregulated child labour. Every Diocese or local church in Nigeria has this commission to regulate injustice done to the people especially children and the less privileged. the Justice, Development and Peace/Caritas Committee of the Catholic Church in Nigeria (JDPC) is an agent of the Roman Catholic Church engaged in socio-political teaching, such as relief and development, education and vocational training, human rights promotion, policy advocacy, and Church-state relations. Since the restoration of democracy in Nigeria, JDPC has significantly expanded its peace building initiatives to heavily emphasize conflict prevention and post-conflict reconciliation efforts. Therefore “The Justice, Development, Peace/Caritas is a structural response to the Second Vatican Council Appealing for the Church’s involvement in the affairs and development of the society.”³⁶³ Similarly, according to Justice Development and Peace Commission, the Catholic Diocese of Ibadan has recently reorganized this commission and has brought it under the Department of Church and Society. As a result of this reorganization, here below are the different structures of this commission:

a. The National JDPC Secretariat: The Justice, Development and Peace Committee is in the national level and it is under the control of the Catholic Secretariat of Nigeria (CSN). This commission is headed by the Director of Church and Society. The secretariat/committee carries the responsibility of coordinating, supervising as well as animating the provincial JDPC commissions and also the diocesan ones. The secretariat/committee serves as the resource centre and also the main centre for the national JDPC activities. The Secretary reports to the CBCN on its activities through its chairman and the Secretary General of the CSN. For example, they members of this commission report to the secretariat, new strategies to fight corruption, injustice, abuses and exploitations of children and the less privileged. The commission will then analyse these situation and find a better solution to the problems.

b. Provincial JDPC: The Catholic Church in Nigeria is made up of nine Ecclesiastical Provinces. Each province is made up of dioceses. One of the coordinators serves as

³⁶³ Justice, Development, Peace Centre (JDPC) (Accessed from catholicdiocese-sokoto.org/jdpc)

chairperson or coordinator of the province. The nine provinces are Abuja, Jos, Kaduna, Calabar, Onitsha, Owerri, Benin City, Ibadan and Lagos. The provincial commission serves for the whole province. The members are also representatives of the different dioceses that make up the province. They also make sure that they map out strategies to fight corruption and injustice. They also try to empower and support parents who are into agriculture namely: giving them fertilizers, some yam seeds and sometimes they can grant loans to farmers in order to help them to meet up with their demands. This will go a long way to solve the issue of poverty since the government cannot offer such opportunities again. The commission on the provincial level normally gets some support from the national level and they are responsible also to confront the structures that promote injustice and corruption.

c. Diocesan JDPC: Each Bishop appoints a JDPC coordinator for the diocese to animate, mobilise, and keep the JDPC running actively in the entire diocese. The coordinator could be a priest or a nun or lay faithful. The principles of collegiality, solidarity and subsidiarity inform the ‘coordinator system’. The coordinator will then appoint representatives from different parishes, who will help him or her to bring reports of the situations of things in the different parishes that make up the diocese. This commission also moves around to monitor what the children do especially during school hours. They do this by reaching out to the people in the rural areas especially where the majority of the people are poor families. They can also offer scholarship scheme for children in order to help them to go to school.

d. Deanery/Zonal JDP Committee: This is a brief but important level between the diocese and individual parishes. Some of the deaneries or zones have a common culture like language and customary practices. The JDP committee would fare well here. They also work like those in the diocesan level.

e. Parish JDPC: This is where everything happens! The parish presents a perfect example of what the Church is concrete. This is where the JDP programs, policies and activities take flesh. A dynamic and dedicated body of the JDPC is a must here. They go to grass root. They know every family, their situations and offer necessary help. They can assist children with regard to their school fees, school uniform and even help their poor parents to start off a small scale business. They offer loan to them like in the diocesan level. The diocese can reach to the people through this commission. They have real helped to check mate and regulate child labour by knowing what the children do and the reasons that led them into labour.

f. Outstations' JDPC: The towns and villages within the parish are part and parcel of the Justice, Development and Peace agenda, and, they must feel its impact and also actively participate in the JDPC activities. They are the mobile ones. They patrol in the villages and their farm lands in order to check mate children who go farm when they suppose to be in the school. They will know their reasons and try to offer the necessary help that they can.³⁶⁴ This group has really done a lot in the recent times to regulate the work children do and also offered many help and support to the parents by creating work for them, assisting them with loans and incentives and also improving their working conditions and salaries.

6.2.2 The Impact of the Church in Nigeria on Education as a Way of Regulation of Child Labour

The church as an organisation has established schools that will help to solve the issue of illiteracy that is one of the major causes of poverty. The church should work together with the state to fight corruption and help to restore the quality of education. Little wonder the Catholic Bishops' Conference of Nigeria in her Plenary Meeting on the 1st of August 2004 on The Church and state partnership in the provision of quality education said that "history shows that the Church started very early to invest heavily and fruitfully in quality education in what is now known as Nigeria. She established schools which were known for their good academic and moral standards, and their non-discriminatory policies, even in the difficult terrain of rural Nigeria. Prior to the government take-over of schools in the 1970s both the Church and the State were partners in education. As a result of the take-over, the initiatives of voluntary agencies were stifled, and the quality of education in Nigeria experienced and still experiences a sharp decline."³⁶⁵ The church has tried in many ways to help children as well as young boys and girls to have quality education. The church has established many schools both in urban and rural areas. Some of these schools are free for students from poor families and an affordable price for others. This is a great help to solve this situation. Going further on this argument therefore, the Catholic Bishops' Conference of Nigeria said that "the good health of a nation is largely dependent on the quality of education of her citizens. The numerous problems affecting our country Nigeria are very obvious: corruption, abuse of power, insecurity, poverty, discrimination, to name but a few. We cannot confront these challenges

³⁶⁴ Ibid.

³⁶⁵ Catholic Bishops' Conference of Nigeria, "The Church and State Partnership in the Provision of Quality Education" in her Plenary Meeting, 1st August, Nigeria, 2004.

without investing in the provision of quality education. With integral education, the human person is formed to be loving and caring, able to actualize his or her potential, contribute to the attainment of the common good and fulfil his or her aspiration. Quality education in this respect has a religious and moral content. Education, in the final analysis, is a means of cooperating with God to overcome evil and bring out the best in the human person.”³⁶⁶ This she has put into practical way by establishment of good schools and also by enlightenment of parents and children on the need for education. They have also empowered the parents in very many ways. We can say that there is a great improvement of infrastructure and learning environment and conditions in the schools established by the church.

6.2.3 The Church’s Building of Schools as a Contributing Factor to Regulation of Child Labour

The Catholic mission feels the responsibility of contributing concretely to the progress of the society within which she finds herself and works. She is capable of searching for ways to make education affordable and accessible to all those who should benefit from it especially the poor or members of minority groups who customarily have been deprived from education. It is not enough to establish schools that ordinary church members cannot afford to send their wards, but to make sure that they maintain a standard that is good. She should be careful to make sure that corruption which is the canker worm that has eaten deep into the fabrics of the society is not practised in the catholic schools.

Therefore the contribution of the Church to the educational development of Nigeria has remained unparalleled. This implies that she has contributed immensely to the moral, social, educational life of the people. She has used her limited resources to build schools all over the country and products of these schools have competed and are still competing favourably with their counterparts anywhere in the world.

As part of the Church’s usual contribution to Education in Nigeria, the Veritas University of Nigeria was established and other universities in the country to help on the area of education. The church has established schools both in the urban and rural areas as a way to fight illiteracy, which is the major cause of poverty.

³⁶⁶ Ibid.

6.3 What the Church has not done well and what she still needs to do for a proper regulation of Child Labour

Child labour is a great problem that affects both the political and the religious society/world. It is even more prevalent in the third world countries like Nigeria. This issue of child labour may seem odd in Nigeria because Nigeria is one of the known Christian countries. This is so because more than 50 percent of the population are Christians and the other Moslems. So, Nigeria is a religious country. One would think that child labour would not be an issue in such a predominantly Christian country. Both the state and the church have contributed a lot to check-mate the activities of working children as we have seen in this chapter. But she has also contributed to child labour either directly or indirectly.

Directly, she has in some occasions employed under-aged children to work in some of her institutions as paid labourers. Some children from poor families are sometimes employed as cleaners in some church institutions such as: schools, churches, offices, farms, factories, etc. However, some of these activities can harm them physically, morally, socially, mentally. Not only are the children at a physical risk, but they also face exploitation by their employers in terms of long hours of work, insufficient rest periods and extremely low wages. This affects them just as much as the physical risks do. The most lasting effects of child labour on the children are the mental effects they suffer afterwards. They can develop certain psycho-social problems as a result of their experiences by the people they believe that will protect them. The work, in which many children are engaged in, distorts their values, leads to loss of dignity and self-confidence, and exposes them to anti-social behaviour. All these risks and effects are reasons why child labour needs to be regulated and the only way to do that is for the Church to be an example and use her Social teachings to assess their activities with children and create organizations that will checkmate the activities of the working children.

However the lack of practical support for Christian Social teachings is what allows for such injustices to continue. The Christian social teachings are based on and are inseparable from our understanding of human life and human dignity (Social Teachings). From this perspective therefore, it is the duty and responsibility of the Church to protect her family especially children. Since Nigerians are mostly Christians, therefore the Church needs to be proactive in regulating the activities of the working children.

In order for the Church to use her Social teachings to help regulate the activities of working children in Nigeria, she must also work sincerely through her established organisations. By creating these organizations, the Church is not in any way interfering directly with the lives of

the people. She is only fulfilling one of her primary missions. A good example of an organization the Church has used is the JDPC as we have seen already. The JDPC has a great program and many strategies mapped out in order to checkmate the activities of the working children and also to help them to go to school. There is an agricultural program by the JDPC in Nigeria which lifts small-scale farmers (mostly the parents of these children) from poverty by equipping them with incentives that will enhance more production. This will help to buster the economic situation and lessens the dependency on child labour. With more support from these organizations, there will be a great advancement in ending child labour.

Similarly, Organizations aimed specifically at eliminating child labour would definitely help to relieve the situations that led the child into labour. The Church in Nigeria would be able to make a remarkable difference in the improvement of the lives of child labourers, because they are native to the region and have closer ties with the people. If support can be rallied throughout the country in the predominantly Christian populations, by spreading Christian Social Teachings, surely, it will bring about real change from within. Based on Christian and Catholic Social Teachings, Catholics have a great commitment to the poor, and therefore to these helpless children that are forced into labour as a result of poverty.

After a proper analysis of the situation in Nigeria, there the Christian faith and her organizations alone may not solve the problems of child labour in Nigeria. They still need the support of the government to realise this singular objective. Worthy of note is that, their contributions will help a great deal to regulate this situation.

6.4 Conclusion

It is natural for every person to strive for the common good. The goal of this project therefore is to put to an end all these abuses and exploitations experienced by children every day. It is a moral as well as social issue and calls for urgent attention in order to help children to restore their dignities. Catholics are therefore called to uphold the human right and dignity of the abused and exploited children who are victims of this ugly situation. Despite the fact that every country has very interesting rules protecting children from abuses and exploitations, but the applications of these laws or rules are the problems. This is why there is an increase in the rate of abuse and exploitation of children every day. Children across the world are still working in situations that are dangerous and hazardous to their physical and their mental well-being. A Good number of them are being trafficked across the world. They end up into

exploitative works in agriculture, mining, factories, armed conflict, or commercial sex work, etc. These problems are current discussions every day, but not much is done to put it to end. Christians having in mind always that our Lord Jesus Christ came to be the voice for the voiceless can continue to work to end child labour and its abuses and exploitations. It is supposed that every society must be able to take care of its most vulnerable members, namely children, women, etc. In one of his letters in May 2002, Pope John Paul II stated that “the alarming increase in the trade of human beings is one of the pressing social, political and economic problems associated with the process of globalization. It presents a serious threat to the security of individual nations, and a question of international justice which cannot be deferred.”³⁶⁷ Child labour which sometimes leads to child trafficking is depriving the society from the best it can be. Child labour is not only a problem of the past, but also the present. It is happening in the world today and in more organised form than ever before. Christians therefore have the moral obligation and duty to uphold the dignity and rights of the children especially the abused and exploited ones.

Therefore, the church has contributed so much to the educational, moral and social development of Nigeria both in terms of human development and physical transformation. So, whatever the motives in the historical and sociological perspectives may be, the mission schools were the greatest service done to Nigerian people.

³⁶⁷ Pope John Paul II, “Letter to Archbishop Jean-Louis Tauran on the occasion of the International Conference” Twenty-first Century Slavery the Human Rights Dimension to Trafficking in Human Beings, Vatican City, 2002.

Chapter 7: General Evaluation, Recommendations and Conclusion

7.0 Introduction

Our discussions so far centered on the real situations of child labour in Nigeria and what to do about this situation because of its devastating effects on the children involved. We have been able to establish within the course of these discussions that child labour in its devastating conditions is not suitable for the normal development of the children involved and therefore, should be regulated.

In the first chapter of this work, the general concepts and theories of childhood and regulation were discussed. The reasons why children work are treated with the aim of knowing exactly the circumstances that led them into labour. The major circumstance that led them into labour as we seen is poverty. In this chapter, it was established that children enjoy certain priviledges and therefore should be protected from any form of labour or activity that will deny them of their basic right of enjoying their childhood. Consequently, the differences between child labour and child work were handled in order to make a clearer clarification namely: that child work are those works or activities that help in the normal and healthy development of the child taken into consideration of their childhood. Then, that child labour are those activities in which children are exploited and abused and their employers really take the advantage of their situation as children. Children are mostly exploited and abused in child labour because of the fact that these activities they involved themselves are not controlled in order to ascertain if they are really good for their healthy development. Moreover, it was discovered and established that children can also be exploited in child work that we believe that they are those works that help in the normal and healthy development children. This is as a result of the fact that they mostly work for close relatives and the exploitations here are not mostly evidenced and public. Regulation of child labour was defined and clarified with a view of applying it within the course of the discussion as we have seen. It aims at regulating the activities of the working children so that their employers will not take the advantage of their situations to exploit and abuse them.

The second chapter of this work handled child labour and it's various forms. The different areas and fields where children work are specified, namely, some work as Domestic Servants, doing such activities like cleaning the house, cooking, doing one household activity of the other. Some work as street hawkers selling one thing or the other on the streets, in motor

parks etc and in most times, they are either exploited or they end up harming themselves thereby destroying their future. Some run the risks of being knocked down by cars and motorcycles. Many in this situation have ended up as criminals and drug addict, etc. Some beg on the streets like the Almajiris from the Moslem tribe and some work in industrial and agricultural sectors. Similarly they also suffer a lot of exploitations and abuses in this situation like the street hawkers. Some of them also suffer sexual harassments and abuses and those working in agriculture are sometimes harmed by some machines that are too heavy for their age to work with and some are victims of insect attacks and some chemicals used for the agriculture. Moreover, the detailed exposition of child labour in many continents of the world shows that there are some similarities evidenced in all of them namely, long working hours, poor working conditions, poor salaries, exploitations and abuses, but the level and the degree are quite different. Worthy of note is the fact that it is poverty that is the underlying problem that led children into work in these circumstances as we have seen in this work. The concept of work, the activities of International Labour Organisation and Terre des Hommes were discussed to show the very many strategies they have offered, in order to regulate the activities of working children and thereby saving them from the abuses and exploitations involved. Such activities includes setting out the age limit for working children, reducing the working hours, specifying the type of work that they can do and the working conditions, etc.

Similarly, the third chapter analyses how child labour is a threat to the child's healthy development and an infringement on the child's dignity and rights. This is so because the child enjoys his or her rights and dignity because he or she is a human person. This dignity and rights of the child is ontological and cannot be removed or trampled upon. Little wonder Child Labour violates the dignity and rights of Children through harm they cause to the child, through neglect they suffer, through sexual abuse and exploitations they are forced into as a result of the work they do and the situations of the affected children, namely: psychological problems as after effect, some of the children have ended up illiterates and unskilled workers in the future. Some have ended up as criminals and drug addicts thereby constituting nuisance to the society. Few of them are prostitutes in the major cities of the country and all over. Some have died in the process trying to survive by taking great risks and using heavy machines in industries and in agriculture. There are other instances of this as we have seen in the preceding chapters.

Chapter four was centered on the existential situations of child in Nigeria. Therefore, children enjoy certain rights, dignity and privileges that protect them from hazardous works. These

facts we have already seen and discussed. These rights protect them from abuses and exploitations that they encounter in life as they grow up to adulthood. This is the reason for the urgency of regulation. The reason for regulation and not ban is as a result of the following reasons, namely: poverty and the high level of corruption by the government officials. This implies that they do not use the nation's resources for the good of the citizens, rather for their own selfish interests. There are interesting child labour laws in Nigeria like in other countries that protect the child from abuses and exploitations as we have seen from the presentation. But, the application of these laws became a problem, as a result of a corrupt system of government as we have seen. The consequences of child labour in Nigeria as we have seen in the agricultures sector, industrial sector and sales sector show the different abuses and exploitations involved, namely: long working hours, poor salaries, poor working conditions, not taking the interest of the child into consideration, children liable to dangerous conditions and situations that harm their them, abusing his or childhood, etc. The factors that hinder the prohibition of child labour in Nigeria are numerous and the detailed expositions of them show why they are still persisting. These factors include: Cultural Factor as the most Persisting Factor, the traditional understanding of work in Nigeria: the major factor that hinders the prohibition of unregulated child labour. Polygamy in Nigeria and its effects on child labour, the concept of hard-work in Nigeria and its effect on child labour, the attitude to work and wealth in Nigeria before the advent of colonialism and afterwards, solidarity through works among Nigerians. Worthy of note is that all these ethical factors hindering the prohibition of child labour are pre-colonial and they are changing with time. Other persisting factors that hinder the prohibition of child labour are the socio-political and religious instability in the country and their effects on child labour, the effects of natural and environmental disasters, Traditional Apprenticeship system in Nigeria, where children start very early in life, to learn one particular profession or the other for their future. This is against the background of students not getting any job after graduation from the university. These factors are persisting and are the major reasons for child labour in Nigeria. Against these reasons therefore, regulation of child labour in Nigeria becomes one of the alternative means to help the working children at this point or stage.

Regulation of child labour therefore is one of the ways to realise the basic needs and dignity of the child as we have seen in the fifth chapter of this work. Regulation aims at regulating the activities of the working children since the abolition or prohibition of child labour at this stage is very difficult, as a result of the very many factors as we have discussed in the fourth

chapter of this work. Worthy of note is that the regulation of poverty at the first instance is very paramount, which is the major reason why the abolition or prohibition of child labour in Nigeria is very difficult. Regulation of poverty in Nigeria implies very many strategies namely: empowerment of their parents, who are mostly farmers in the rural areas, the increment of workers' salaries taken into consideration the size of their families, the provision of infra-structures and super-structures in the rural areas, to create job opportunities in order to solve the problems of unemployment in the country. Above all, there should be a reform in the educational system in Nigeria, namely education for all. Education therefore should be made compulsory in the country.

Chapter six however has been so helpful by demonstrating the very many ways the church has contributed to help to solve the problem of child labour generally and in the Nigerian context. The church has played a vital role by the empowerment of parents and building of schools to enhance education in the country. The establishment of the Justice, Peace and Development Commission was a great initiative that has really achieved a lot in the area of child labour regulation and is still making a great progress. This body has really helped to forestall and apply the child labour laws in Nigeria. Worthy of note is the fact that this group is not a pressure group, but has really worked together with the government officials to make sure that child labour laws in Nigeria are properly and appropriately applied. However, there are some areas the church has contributed in child labour either directly or indirectly, namely: employment of children with low salaries and employment of children in some hazardous situations. The church therefore should do more in the empowerment of parents and in the building of schools especially in rural areas.

We have seen these events in the preceding chapters, how child labour has negatively affected the normal and healthy development of the children concerned. We can say immediately that child labour especially the uncontrolled and unregulated ones are harmful and affect the child negatively. So, it is against this background that we have been able to establish the fact of the regulation of child labour as one of the ways to realize the basic need and dignity of the child. Little wonder the very many regulatory strategies have helped a great deal to achieve this singular goal. Since all these problems that lead the child into labour cannot be stopped at this point because of the above mentioned reasons as we have seen in this work, therefore there is an urgent need for the regulation of child labour as we have discussed previously. So, a summary of this research work will be presented in this chapter as

well as a presentation of more suggestion, solutions and recommendations by the ways of evaluation and conclusion.

7.1.0 What Ought to be Done to Achieve this Objective and by Who

7.1.1 What ought to be Done?

The fact that work is central to the life of every human being does not imply that children should involve themselves in all types of work as the adults do. According to Obiora Ike, it is man's duty to work and by doing so he procures his daily bread; through his work he contributes to the continuing development of the technical arts and science; by his work of particular importance, this - that he must help to raise even higher moral and cultural standards of the society in which he shares his life with the human family. In so far as we fail in realizing this, we frustrate our lives and fail in what we owe the common good, offending against the virtue of social justice which bids us to do habitually whatever is necessary for the common good.³⁶⁸ This saying implies that work is central and indispensable in the life of every human being and distinguishes him or her from other creatures. Little wonder Pope John Paul II in his Encyclical 'Laborem Exercens' said that "through work man must earn his daily bread and contribute to the continual advancement of science and technology and, above all, to elevating unceasingly the cultural and moral level of the society within which he lives in community with those who belong to the same family. And work means any activity by man, whether manual or intellectual, whatever its nature or circumstances; it means any human activity that can and must be recognized as work, in the midst of all the many activities of which man is capable and to which he is predisposed by his very nature, by virtue of humanity itself."³⁶⁹ Worthy of note is that all these sayings do not warrant the issue of child labour especially in its worst forms. The Encyclical 'Laborem Exercens' goes further to extol the unique worth, value and dignity of man, and asserts that economics must serve man, and not otherwise. Man's unique relationship to God his creator and his endowment with reason, faith and an eternal soul makes him superior to work itself, the object of labour and the tools and equipment used as working materials. Such an attitude will help rescue Nigeria

³⁶⁸ Cf. Ike, Obiora., op. Cit.,p.518.

³⁶⁹ Pope John Paul II, Laborem Exercens'September, Vatican City, 14, 1981.

Man is made to be in the visible universe an image and likeness of God himself, and he is placed in it in order to subdue the earth. From the beginning therefore, he is called to work. Work is one of the characteristics that distinguish man from the rest of creatures, whose activity for sustaining their lives cannot be called work. Only man is capable of work, and only man works, at the same time by work occupying his existence on earth. Thus, work bears a particular mark of a man and humanity, the mark of a person operating within a community of persons. And this mark decides its interior characteristics; in a sense it constitutes its very nature.

and entire Africa from the impending economic secularism or materialism facing modern nations.³⁷⁰ The pope meant here that the dignity that should be attached to work and the working children should enjoy more rights and privileges. Similarly, according to Elizabeth Kim Jin Traver in her work 'Brazil in 'Child Labour: A Global View' "another critical factor is the social norm that values the labour as an integral and positive part of a child's development. A working child is perceived as receiving discipline and training for the future entry into the employment market as an adult. Furthermore, working occupies time that might otherwise be spent 'getting into mischief.'"³⁷¹ For Michael Bourdillon et al., when we talk about work "the emphasis on children's well-being and development will make policy more effective by encouraging empirical inquiry into the effects of children's work in their welfare and development, and by directing more effort into the assessment of how policies and interventions play out in children's lives. Grounding system more solidly in properly researched evidence and less in conventional wisdom, ideology, assumptions and institutional tradition will make it more relevant and realistic. Interventions will better match problems and contexts."³⁷² We have said earlier in the introductory part of this work that the root causes of child labour should be handled in the first instance. This implies that poverty which is the main problem that leads the child to work must be treated from the root. This is so because removing the child from work is not only the solution, but offering him a better alternative when he is withdrawn from the work.

The government, the church, social organizations and in fact all of us should put hands together to fight poverty as an offshoot of corruption and solve this cankerworm that has eaten deep into the fabrics of the society. **Below are some of the strategies that must be put in place to achieve this objective of a better regulation of child labour:**

- a. **Increment of the salary of workers:** Salaries of workers both at the state and federal levels must be increased to achieve this objective. Government should therefore consider the daily expenses of families before working out their salaries and emoluments. Government should also regulate and inspect the salaries of workers in the private sectors in order to ensure that they are properly paid and in good time. She can work out salary scheme for those working in the private sectors and ensure that their employers respect this law.

³⁷⁰ Cf. Ibid.

³⁷¹ Elizabeth Kim Jin Traver, "Child Labour in Brazil" in Child Labour: A Global View, Cathryne Schmitz et. al., (eds.), London: Greenwood Press, 2004, p.35.

³⁷² Michael et al., Rights and Wrongs of Child Work, p. 204.

- b. **Creation of more job opportunities:** Government should help to create job opportunities for all so that all will have something to do. Government should encourage those in the private sectors to create more job opportunities for the people. She should also build factories and industrials in the rural areas so reduce the problem of unemployment will be taken care of.
- c. **To equip parents in the rural areas who are mostly farmers,** with the necessary facilities and incentives that will help them to achieve a better result. Along this line also, there should be inspection team formed by the government to control and inspect the working parents to make sure that they are not exploited and abused.
- d. **Regulation of some of the traditional practices:** Government should regulate some of the traditional practices like: the traditional apprenticeship, the concept of work in the rural areas that led many children to labour, birth rate should be regulated and parents should be lectured on the need to have only the number of children they can take care of.
- e. **Moreover, there should be a regulatory team** that also regulates the activities of those who are in-charge of some of these parastatals that control the activities of those in the private and public sectors.
- f. **Then, a good government should have the interest of its citizens** on the first instance. Thereby making sure that there is equitable distribution of the common good. There should appropriate use of her resources and not for their own selfish interest. At this point, I would say that Nigeria has enough to take care of her citizens. It is left for those who are in-charge to use the resources appropriately and properly.
- g. **Government should therefore shun corruption at all levels,** namely: at the federal level, state level and local government level. Those responsible should make sure that projects that will enhance a better living condition must be executed. This implies that they should regulate all forms of corruption in all levels and apply the principles of justice and equity.

Reasoning along this line of thought, Pope John Paul 11 argues that only the united efforts of the citizens under enlightened leadership can overcome difficulties such as Nigeria now has. Only the harnessing of all the forces for the common good, in genuine respect of the supreme values of the spirit, will make a nation great and happy dwelling place for its people.³⁷³ This

373 Cf. Pope John Paul II, "Address to the President and the Members of Government of Nigeria" During His Papal Visit to Nigeria, 1982.

argument is true because Nigeria is blessed with numerous human and natural resources. Only selfishness is the problem. What is needed to do is to harness these resources and use them appropriately for the common good. The leaders together with the citizens will achieve and realise this singular goal. All should strive to contribute his or her own quota in this regard.

On another note, many people would want to earn money without working for it. Many are still nursing the idea of cutting their own national cake without working for it. Little wonder, the Catholic Bishops Conference of Nigeria rightly observed that: many Nigerians have a bad attitude towards work. They want money in large quantities. But they are not willing to engage in hard work with sustained diligence. Many competent and qualified Nigerians are lazy in their work. In other words, they are undisciplined and they want promotion and quick money by nepotism, tribalism, bribery, god-fatherism, political maneuvering and, sheer embezzlement. We call on all such Nigerians to change their direction. We give the floor to all of them to help build maintain a peaceful and progressive nation by honest work, diligence, love of our country, and sustained discipline.³⁷⁴ A right attitude towards work will surely enhance a better production and undoubtedly increases the income.

Therefore, for an efficient and effective regulation of child labour in Nigeria, it will be good to start with a proper implementations of these strategies that we have already mentioned and secondly, an adequate consultation with the child labourers in Nigeria in order to hear their own side of the story. This process will help to know exactly the circumstances that led children into labour and these cases will be handled properly. Reasoning along this line of thought, Michael Bourdillon opines that “experience has also made clear that one starting point of any consultative process should be the observations and opinions of the children concerned. They provide excellent sources of information and often new insights into the positive or negative aspects of different kinds of work and work situations. Like many adult workers, they do not always have the knowledge and experience to appreciate long-term hazards, and often they do not have experience to extend their observations to situations very different from their own.”³⁷⁵ He argues further on this that “consultative processes are necessary and productive in part because they help refocus the terms of discussion away from abstract ideological positions and toward the particular facts and problems of actual children

374 Rev. Peter Schineller, S.J. (ed.) “Pastoral letters and communiqués 1960-2002: The Voice of the Voiceless: For Peace and Progress” in The Catholic Bishops’ Conference of Nigeria, Lagos: Daily Graphics Ltd, June 30, 1982, p.115.

375 Michael Bourdillon et al., p.179. Nevertheless, they are in good position to assess kinds of work situations in their local context most in need of attention, and the kind of attention that would be helpful.

and situations. Experience strongly suggests that while it has been next to impossible to annunciate rules that successfully apply everywhere, it is in fact not so difficult to discern at the local level what particular work situations are damaging to children and require urgent attention , and to devise interventions specific to local context that effectively work for children.”³⁷⁶ It will be good to say in the words of Basu K in his work on Child Labour: Cause, Consequence and Cure, that: “the decision to send children to work is most likely made not by children themselves but households out of dire need.”³⁷⁷ This is why consultation and dialogue with the children themselves is very important. So, taking a child out of work is not enough, but to offer him alternatives that will replace the situations that led him into work. This is one of the advantages of consultation and dialogue. It will be good to conclude immediately that poverty is the major reason that leads these children to labour. This we have already discussed in the preceding chapters. Furthermore, Bequele, Assefa & William Myers in their work ‘First Things First in Child Labour’ arguing more for regulation of child labour said: “What is important is that concrete, feasible decisions be made about which child work problems require the most urgent attention, and that these decisions enjoy at least a modicum of social credibility and legitimacy. Fortunately, the task of designating children at high risk usually turns out to be easier in practice than in theory...it is a question more successfully lived through in practice than intellectually agonized over beforehand.”³⁷⁸ Rialp using Philippines as a case study said that “in Philippines, protection of working children was overseen by local councils bringing together local civil society groups involved in social services and advocacy of many different kinds. The participating organizations brought a variety of viewpoints and priorities to the table, where they pooled observations and agreed on where attention was needed for the benefit of children. This example was primarily driven by ‘grass roots’ initiatives and organizations and supported by local and national government.”³⁷⁹ So, government has a lot of roles to play in this regard and with these, an effective regulation will be achieved in this moment.

³⁷⁶ Ibid.

³⁷⁷ Basu K, “Child Labour: Cause, Consequence and Cure” in *Journal of Economic Literature* 1999, 37(3): 1083-1119.

³⁷⁸ Bequele, Assefa et.al, “First Things First in Child Labour, Geneva: Eliminating work detrimental to Children International Labour Organisation, Geneva, May, 1995, pp. 26-27.

³⁷⁹ Rialp Victor, “Combating Child Labour in the Philippines: Listening to the Children” in Weston, B. (ed.), *child Labour and Human Rights*. Boulder and London: Lynne Reiner, 2005, pp.187-208.

7.1.2 Who then Regulates Child Labour in Nigeria and How?

Child labour regulation means child labour laws, strategies that are normally enacted by the federal government or other bodies, whether political or religious, etc that aims at regulating when children can work, how long they can work, the working conditions, what jobs that will be best for them, considering their age and what jobs they can do as we have earlier discussed. And the government and the institutions involved with children are responsible for these laws and their applications. The government, the church, institutions that are directly involved with the affairs of children and all of us, have the responsibility of making sure that these laws are properly put to practice. This is so because when child labour is not regulated, it stands as: an abuse and neglect, a great threat to their education, a type of humiliation, dehumanization, degradation and instrumentalisation.

For a better regulation of child labour in Nigeria therefore, there is need for collective collaboration between the family, the school, the church, the state and all.

- a. The Government:** The government should ensure that fulfills her primary mandate, tasks and obligations to her citizens by providing them with the necessary incentives that will help her citizens. The Federal government should therefore make laws that will protect the children and also ensure that these laws are put into practice. They should provide the necessary infrastructures and superstructures both in the urban and rural areas to ensure that all enjoy good life. Similarly, it is true that the school has a lot of roles to play in an effective regulation but a lot is to be done in this regard. Teachers should help the parents to explain to these children, the need and the necessity of education for their future. Their work should be seen more as a vocation and profession. School attendance is very necessary to determine the number of children at school. The students should be encouraged both by parents and teachers to discover their talents, develop and pursue their goal in life along with their natural endowments. Many parents decide against the wishes and interests of their children, thereby endangering their lives in the future and the society surely suffers at the end.
- b. The state** on another note should help her citizens by creating employment or job opportunities and also to improve on the salary scale of workers. It is the primary duty of the state to the create job opportunities for her citizens. But the contrary is the case in Nigeria. Miss-management, corruption, etc are the other of the day. The

consequences of this situation are enormous: unemployment, poor salary, crimes etc. Crime rate is on the increase and the situations that led the child into work are on the increase. The government should help to offer lasting solutions to these problems especially that of poverty, which is the root causes of child labour. Reasoning along this line of thought, Emerson Emerson, P.M, on 'Is there a Child Labour Trap?' wrote that "more resources are needed to extract families from the child labour trap. Studies demonstrate that even though the poor rely on child labour only to assure survival, given a choice they would always opt for educating their children. Children are more likely to be child labourers if their parents were as well. Children are less likely to be child labourers the more educated their parents are. Policies that break the cycling family by family are potentially the most useful instruments to reduce the incidence of child labour."³⁸⁰ Little wonder the urgent need for seminars and workshops as already suggested in the fourth chapter. On the area of agriculture, it is observed as discussed in the previous chapters that most children especially in the rural areas, work in the farms under hazardous conditions. Government therefore should pay more attention to these areas because they are more prone to dangers and hazards. According to Human Right Watch, "children come to farm work at varying ages. Reports of children as young as four or five working alongside their parents are not uncommon. Farm work is low paid, exhausting, stigmatized and often dangerous. Agricultural workers labour under extreme weather conditions from pre-dawn cold to intense desert heat, where temperatures are commonly well above 100 degrees Fahrenheit. Their work is physically demanding, requiring sustained strength, endurance and coordination."³⁸¹ It will be good for the Nigerian government to borrow the Fair Labour Standards Acts of 1938. Thus: "The Fair Labor Standards Act of 1938 as amended sets standards for youth employment in agriculture. These standards differ from those for nonfarm jobs. What are the Minimum Age Standards for Agricultural Employment? Youths ages 16 and above may work in any farm job at any time. Youths aged 14 and 15 may work outside school hours in jobs not declared hazardous by the Secretary of Labor. Youths 12 and 13 years of age may work outside of school hours in non-hazardous jobs on farms that also employ their parent(s) or with written parental consent. Youths under 12 years of age may work outside of school hours in non-hazardous jobs with parental

³⁸⁰ Patrick Emerson et. al, "Is there a Child Labour Trap? Intergenerational Persistence of Child Labour in Brazil" in the Journal of Economic Development and Cultural Change, 2003 51(2): 375-98.

³⁸¹ Human Rights Watch, Fingers to the bone: United States failure to protect child Farm workers. New York: Human Rights Watch, 2000, p.11.

consent, but only on farms where none of the employees are subject to the minimum wage requirements of the FLSA.³⁸² Therefore, in order to regulate child labour, the government should implement policies to address the various factors causing child labour, such as parents' lack of concern for their children, imbalances in the power structure within households, and household poverty.

- c. The Parents:** Regulation should begin in the families by the parents. We have seen in the preceding chapters that child labour in developing countries is associated and connected with a variety of factors, such as household poverty, low parental educational attainment or illiteracy and the absence of schools or there are not enough schools. As a result of this, children are more likely to go to work if their parents show less concern for them or sometimes not interested at all. And sometimes in developing countries like Nigeria, children are more likely to work if their father has greater power in the decision making in the family than their mother. There is need for both parents work together for the wellbeing of their children. Therefore, parents should fulfill their basic duties and obligations to their children namely, providing for their basic well-being. They should work seriously in order to take care of their family problems. They should not encourage their children to be involved in all forms of work especially the ones that affect their healthy growth and development. On the contrary, they should encourage them to go to school and do other activities that will enhance their healthy development. Family planning should be accepted by parents in order to bear the much they can train. This implies that idleness and laziness should be discouraged among parents. They should not wait for the government to do everything for them.

³⁸² Cf. The Fair Labor Standards Act of 1938 (FLSA) Furthermore, Local youths between ages of 10 and 11 may handle harvest short-season crops outside school hours for no more than eight weeks between June 1 and October 15 if their employers have obtained special waivers from the Secretary of Labour. Youths of any age may work at any time in any job on a farm owned or operated by their parents. The permissible jobs and hours of work, by age, in nonfarm work are as follows: Youths age 18 or older are not subject to restrictions on jobs or hours; Youths age 16 and 17 may perform any job not declared hazardous by the Secretary, and are not subject to restrictions on hours; Youths age 14 and 15 may work outside school hours in various nonmanufacturing, non-mining, non-hazardous jobs under the following conditions: no more than three hours on a school day, 18 hours in a school week, eight hours on a non-school day, or 40 hours in a non-school week. In addition, they may not begin work before 7 a.m. nor work after 7 p.m., except from June 1 through Labour Day, when evening hours are extended until 9 p.m. Those enrolled in an approved Work Experience and Career Exploration Program may work up to 23 hours in school weeks and three hours on school days (including during school hours)

d. The Church: The Church has already played important and significant roles in the fields of the economic, social, political developments of the people. But, more are needed to be done. The church should help to create more employment opportunities for the people. Mission centers were training places of work in all its forms, intellectual and physical: school activities, agricultural activities in big mission farms, coffee or bananas etc., joinery and carpentry work, cattle breeding, etc, should be encouraged. There should exist at the diocesan and parish levels, committees for development where people are educated on the adverse effects of child unregulated labour on children and to elaborate and to realize macroeconomic projects. Such projects have been carried out by the JDPC, but more is to be done. There are for instance organized groups of persons at the level of villages in the rural area, or at the level of the quarter in towns, at the level of cultural associations, at the Church level, and so forth, which are effectively committed to work in view of transforming their poor conditions of life. Therefore, the church in Nigeria should go beyond understanding and restricting their missionary assignment not only on preaching, but also to confront the social and political situations that affect the people negatively, especially children.

7.2 Conclusion

Conclusively, the rights of the child should be revisited and concretely applied in the Nigeria situation. It should not only be in papers, but also properly applied. Thus, for Michael Bourdillon: “the emphasis on children’s access to human rights will bring to sectorial and institutional agendas (including the ILO conventions on child labour) oversight, guidance, and support from the most essential and influential instruments for human rights. Strengthening children’s rights is necessary both to compel national and international attention to urgent issues on child work, such as those related to ILO Convention 182, and to reduce instances in which labour, health, education or other sectoral policies intended to help children perversely end up infringing their human rights, as in the case of ILO Convention 138.”³⁸³

³⁸³ Michael Bourdillon et. al., *Rights and Wrongs of Children’s Work*, p. 204. In essence, the combination of increased empirical attention to policy foundations and consequences for children with more sensitive observance of children’s rights- both necessarily linked to children’s own voices and participation will provide a high level of accountability to children’s welfare and best interest that the ‘child labour’ view of the world lacks. Only a new direction can achieve this.

To solve the problem of child labour therefore, the government must be committed in the fight against exploitation and abuses especially that of children involved in labour. The government of the day should be very interested in the cause of regulating the type of work children do and the factors that lead children into work. The governments at all levels should endeavour to reverse this ugly trend by putting in place, effective measures that will include judicious use of public funds and the creation of economic opportunities to reduce poverty and to empower Nigerians. This will enable parents to have adequate resources not only to feed their children but also to send them to school, thus eliminating the need for unregulated child labour. The government should also make adequate provision for compulsory free education, free medical services for these children. If these measures are adopted and properly implemented, they will go a long way in reducing child labour and giving the children good health and consequently provide a healthy and brighter future for them and for the country.

So, regulation of child labour is very important at this stage in Nigeria as we have said earlier because: Nigeria is still a developing country, she still suffers the aftermath of colonialism, a great percentage of the people are poor making it impossible for children to survive without child labour and sometimes it is really difficult to differentiate child labour from child work thereby endangering the children involved. Sometimes, even the so called domestic work can be exploitative. So, the major reason for Regulation of child labour in Nigeria is the fact that regulation will help to realize the basic dignity and needs of the child. For example, children will have enough time for school and also to play with other children as we have discussed in the previous chapter. Similarly, the cultural factors such as traditional apprenticeship, polygamy, poverty, etc and political factors that perpetrate child labour will be handled from the roots based on the strategies we have already discussed. Therefore, these bodies must put hands together in order to achieve this goal of regulation. With these, effective regulation of child labour will be reached for now.

Bibliography

Primary Aids

- Achebe Chinua, *Things Fall Apart*, London: Heinemann (African Writers Series) 1975.
- Achebe, C., *The trouble with Nigeria*, Johannesburg: Heinemann Publishers, 1983.
- Aristotle, *Metaphysics*, 15:51:36.
- Basden George Thomas., *Among the Ibos of Nigeria*, 1921, reprint, London: University Publishers Co, 1966.
- Bass, Loretta, *Child Labour in Sub-Saharan Africa*. Boulder and London: Lynne Reiner, 2004.
- Bielefeldt, Heiner, *Menschenwürde: Der Grund der Menschenrechte*. Berlin: Deutsches Institut für Menschenrechte, 2008.
- Bourdillon Michael et(al.), *Rights and Wrongs of Child Work*, London: Rutgers University Press, 2010.
- Boethius, *Liber de Persona et Duabus Naturis*, ch. 3. 2, see also *S. Th.* I.29.
- Bolin, Inge, *Growing up in a Culture of Respect: Child Rearing in Highland Peru*, Austin: University of Texas Press, 2006.
- Burr, Rachel, *“Vietnam’s Children in a Changing World*. New Brunswick: Rutgers University Press, 2006.
- Edward Soja, *Seeking Spatial Justice*, Minnesota: University of Minnesota Press, 2010.
- Flint, E.J., *Nigeria and Ghana*, cited in *Work of Ike, Obiora*, New Jessy, 1966.
- Forsyth F., *The making of an African Legend- the Biafra Story*, London, 1969.
- Gluckman M., *Politics, Law and Ritual in Tribal Societies*, Oxford: Blackwell, 1977.
- Green, M. M., *“Igbo Village Affairs”* in *Bulletin of the School of Oriental and African Studies*, Vol. 25, London: Frank Cass, Ltd., 1964.
- Hashim, Eman, *Working with Working Children: Child Labour and the Barriers to Education in Rural North eastern Ghana* D. Phil. Brighton: University of Sussex. 2004.
- Ike Obiora., *Value Meaning and Social Structure of Human Work*, Frankfurt: Peter Lang Frankfurt, 1986.
- Kant, Immanuel (1996): *The Metaphysics of Morals*, (edt. by Mary Gregor), Cambridge: Cambridge University Press.
- Kant, Immanuel (2002): *Groundwork for the Metaphysics of Morals*. (ed. & trans. By Allen Wood) Yale: Yale University Press.
- Liebel, Manfred, *A Will of their Own: A Cross- Cultural Perspectives on Working Children*: London and New York: Zed Books, 2004.

- Obayelu Abiodun Elijah et. al., *Analysis of Child Labour and School Attendance in Nigeria: The present and future implications*, Nigeria, Faculty of Agriculture and Forestry, University of Ibadan, 2007.
- O’Connell Davidson, *Children in the Sex Trade in China*, Stockholm: Save the Children, Sweden, 2001.
- Sergey Bulgakou, *Agnus Dei*, Moscow: Father Alexander Men Orthodox University, 2000.
- Talbot Amaury, *The Peoples of the Southern Nigeria Vol. II*, Frank Cass & Co. Ltd, London 1969.

Basic Church Documents

- Catechism of the Catholic Church, Nairobi: Pauline Publications, 2001
- Pontifical Council for Justice and Peace, “Compendium of the Social Doctrine of the Church” to His Holiness Pope John Paul II, Master of Social Doctrine and Evangelical Witness to Justice and Peace, Vatican City, 2nd April, 2004.
- Pope John Paul II., *Laborem Exercens*, September 14, 1981.
- Pope John Paul II, “Letter to Archbishop Jean-Louis Tauran on the occasion of the International Conference” *Twenty-first Century Slavery the Human Rights Dimension to Trafficking in Human Beings*, Vatican City, 2002.
- Pope John Paul II, “Address to the President and the Members of Government of Nigeria” during His Papal Visit to Nigeria, 1982.
- Pope John Paul II, *Evangelium Vitae*, March 25th, 1995.
- Pope John XXIII in his Encyclical “*Pacem in Terris*”, April 11th, 1963.
- Pope Paul VI, *Dignitatis Humanae*, December 7th, 1965.
- Pope Leo XIII., *Rerum Novarum: On Capital and Labour*, Libreria Editrice Vaticana, Vatican City, 1891.
- Second Vatican Council, *Gaudium et Spes*, December 7th, 1965.
- Saint Thomas Aquinas., *Summa Theologiae*, 1-11, 1, Prologue.
- Pope Francis, “General Audience” at the Conclusion of his weekly General Audience, Vatican City, 12th June , 2013.
- Peter Schineller, S.J. (ed.) “Pastoral letters and communiqués 1960-2002: The Voice of the Voiceless: For Peace and Progress” in *The Catholic Bishops’ Conference of Nigeria*, Lagos: Daily Graphics Ltd, June 30, 1982.

Monographs, Articles, Journals and other Contributions

A Bill for an Act to Provide and Protect the Right of the Nigerian Child and other Related Matters (https://www.unicef.org/nigeria/ng_publications_Childs_Right_Act_2003.pdf)

Adekola, G. Traditional Apprenticeship in the Old Africa and Its Relevance to Contemporary Work Practice in Modern Nigerian Communities, Nigeria in British Journal of Education, Society and Behavioural Science, 3(4): 397-406, Britain, 13th July, 2013, p.389(He is of the Department of Adult and Non-formal Education, University of Port Harcourt, Nigeria)

Aina, A.T. & A. T. Salau, The challenge of sustainable Development in Nigeria, Nigerian Environment Study/Action Team (NEST). An NGO report prepared for the United Nations Conference on Environment and Development, Rio De Janeiro, Brazil, 1992.

Ajayi, J.F. Ade., "The development of Secondary grammar-school education in Nigeria" Journal of the Historical Society of Nigeria, 1963.

Alfons Brüning & Evert Van der Zweerde (Eds), "Orthodox Christianity and Human Rights" in Eastern Christian Studies 13 Leuven: 2012.

Alison Doyle, "Child Labor Laws and Regulations" in the Balance(Accessed 10th October 2017)

White Ben, "Child Labour in the international context" in McCloskey, S. (ed.), No Time to Play: Local and Global Perspectives on Child Employment, Belfast: One World Centre for Northern Ireland, 1997.

Amma H et al. The Nature and Extent of Child Labour in Tanzania: A Baseline Study, ILO-IPEC, March, 2000.

Andvig, Jens Chr. et. al., "Issues in Child Labor in Africa" in Human Development Centre, African Region, September 2001.

Arinze A. F., The Encyclical Laborem Exercens in the context of Africa, (paper at symposium: From Rerum Novarum to Laborem Exercens- Towards the year 2000), Rome, 3-5 April, 2000.

Background Information on Child Labour - World Day Against Child (Accessed 13th September 2016, from www.un.org/en/.../childlabourday/background.shtml),

Barnes et al., Commercial Sexual Exploitation of Children: An explorative study conducted with child victims of prostitution in the Western Cape. Bellville: Institute for Child and Family Development, University of the Western Cape, 2000.

Basu K, "Child Labour: Cause, Consequence and Cure" in Journal of Economic Literature 1999, 37(3): 1083-1119.

Bequele, Assefa et.al, "First Things First in Child Labour, Geneva: Eliminating work detrimental to Children International Labour Organisation, Geneva, May, 1995.

- Berlan, Amanda, “Child Labour and Cocoa: Whose Voices Prevail?” in *International Journal of Sociology and Social Policy*, Vol. 29, 2009.
- Bey Marguerite, “The Mexican Child: from work with the family to paid employment” in *Childhood: A Global Journal of Child Research*, Vol.10 No.3, 2003.
- Bhattacharyya AK. Child Abuse and Neglect: Indian perspective. *Indian Paediatrics* 20: 803 - 810 (1983)
- Black, Maggie, “In the Twilight Zone: Child workers in the hotel, tourism and catering industries” in *International Labour Organisation, Geneva: International Labour Office*, 1995.
- Blyth Mike, *Child Abuse and Neglect in Developing Countries, Interdisciplinary Program in Child Abuse and Neglect, UCLA*; 1990.
- Business Day Newspaper, Wednesday 23, 2010
- Cathryne L. Schmitz et al.; (Eds.), *Child Labour: A Global View*, USA, Greenwood Press, 2004.
- Catholic Bishops’ Conference of Nigeria, “The Church and State Partnership in the Provision of Quality Education” in her Plenary Meeting, 1st August, Nigeria, 2004.
- Chidi Obineche (Writer) “Secrets of the Nigeria Civil war, Interview with Mbazulike Amaechi” in *Daily Sun Newspaper, Nigeria*, Monday, May 7, 2012.
- Chima F. Madu, “The difference between Child Labour and Child Work” in *Voice of the Youth*. (Accessed 20th June 2017 from www.voicesofyouth.org/.../the-difference-between-child-labour).
- Child Labour Laws in Nigeria (Accessed 15th October 2014 from https://www.unicef.org/nigeria/ng_publications_Childs_Right_Act_2003.pdf)
- Convention on the Rights of the Child Adopted and opened for Signature, Ratification and Accession by General Assembly resolution 44/25 of 20 November 1989 (Accessed 11th of July 2016 from <https://www.unicef.org/.../1959-Declaration-of-the-Rights>)
- Child Labour Regulations and Laws, *Jobsearch.about.com*, Child Labor Law (Accessed November 11th, 2015)
- Cookey, S.J ., “The need to review the purpose of education in present-day Nigeria” in *Journal of Education*, 1970.
- Dale Jamieson (ed.), “What, If Anything, Renders all Humans Morally”, published in *Peter Singer and His Critics*, Oxford: Blackwell, 1999.
- Dale Hoiberg (ed.) “Childhood” in *The New Encyclopaedia Britannica*, Vol.3, 15th edition, Chicago: Encyclopaedia Britannica Inc. 2015.
- David Glory, “Restoring the Glory of Nigerian Agriculture” in *The Nigerian Observer Newspaper*, May, 1968.

- Delap, Emily(2001), “Economic and Cultural forces in the child labour debate: evidence from urban Bangladesh, In the Journal of Development Studies 37.9.
- Delap, Emily(2000), Urban children’s work during and after the 1998 floods in Bangladesh: Development Practice” in the Journal of Development Studies, 10. 667.
- Dennis M. Schnurr (General Secretary) “The Summary Report of the Task Force on Catholic Social Teaching and Catholic Education” by The United States Conference of Catholic Bishops, (Accessed 10th June 2017, www.usccb.org > ... > Catholic Social Teaching).
- Dimeji Togunde, In Their Own Words: Consequences Of Child Labor in Urban Nigeria, Arielle Carter Department of Anthropology/Sociology, Albion College, Albion, Michigan 49224, USA, vol.16, 2008.
- Douzinus Costas, “The End(s) of Human Right” in Melbourne University Law Review, 2002.
- Drusilla K. Brown, et. al., “The Determinants of Child Labour: Theory and Evidence” in Research Seminar in International Economics, University of Michigan, September 2002.
- Daily Sun Newspaper, Secrets of the Nigeria Civil war, Interview with Mbazulike Amaechi, Monday, May 7, 2012.
- EFA Global Monitoring Report (2002), Education for All: Is the World on Track. Paris (Accessed 14th May, 2015 from unesdoc.unesco.org/images/0012/001297/129777e.pdf).
- Elizabeth Kim Jin Travor, “South African” in Cathryne L. Schmitz et all, (Eds.), Child Labour: A Global View, USA, Greenwood Press, 2004.
- Ekpenyongi Stephen et.al., Street Trading and Child Labour in Yenegoa: Nigeria International Journal of Scientific Research in Education, Vol.4(1) March 2011.
- Fassa et al., “Special Health Risks of Child Labour“ in Hindman, H.D. (ed.), The World of Child, New York: M. E. Sharpe, 2009.
- Findings on the Worst Forms of Child Labor in Nigeria in 2012, (Accessed 22th September 2014 from www.refworld.org/docid/5268e5b40.html).
- Funmi Falobi, Nigeria: “Wogu and the Fight against Child Labour” in Daily Independence, (Nigerian Newspaper), 28th August, 2014.
- Gender Equality at the heart of decent work, (Accessed 23rd September 2014 from [www.ilo.org/ipecc/areas/Migration and CL-23rd](http://www.ilo.org/ipecc/areas/Migration%20and%20CL-23rd)).
- Gordon Betcherman et al., “Child Labour, Education and Children’s Rights” in Social Protection Discussion Paper Series, Washington: The World Bank, July 2004.
- Hansen Hal, Apprenticeship ‘in Fass, P. S. (ed.), Encyclopedia of Children and Childhood’ in History and Society, New York, 2004.

- Hansen Hal et al., “Adolescent part-time employment in the United States and Germany” Diverse outcomes, contexts and pathways in Mizen, P., C. Pole and A. Bolton(eds.), Hidden Hands, International Perspectives on Children’s Work and Labour, London: Routledge Farmer, 2001.
- Hasan, M. and J.C. Debnath “Issues and Problems of Girl Child Labour in India and Bangladesh” in Journal of Indian Anthropology, 2000.
- Human Rights Watch, Fingers to the bone: United States failure to protect child Farm workers, New York: Human Rights Watch, 2000.
- Human Rights Watch, Borderline Slavery: Child Trafficking in Togo. Human Rights Watch, New York: Human Rights Watch, 2001.
- International Labour Organisation on Labour Laws, Accessed 10th May, 2017 from www.ilo.org/global/topics/lang--en/index.htm
- International Labour Organization: on Child Labour in Latin America and the Caribbean. (Accessed from www.ilo.org/wcmsp5/groups/.../---ro.../wcms_099511.pdf).
- International Labour Organization: on Declaration on Fundamental Principles and Rights at Work Asia, July 1, 2014.
- ILO: Global estimates of child labour: Results and trends, 2012-2016, Geneva, 2017 https://www.alliance87.org/global_estimates_of_child_labour-res).
- ILO: Convention on the Rights of the Child Adopted and opened for signature, ratification and accession by General Assembly resolution 44/25 of 20 November 1989 (Accessed from https://ec.europa.eu/.../united-nations-convention-rights_en).
- ILO: On the Elimination of Child Labour (www.ilo.org/ipecc/facts/lang--en/index.htm).
- ILO, Number:138. Convention concerning Minimum Age for Admission to Employment (<https://www.ilo.org/dyn/normlex/en/f?p...0...ILO...C138>).
- ILO: On the InFocus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work. 1998 (www.ilo.org/wcmsp5/groups/.../wcms_decl_fs_37_en.pdf).
- ILO: Convention on Worst Forms of Child Labour 1999, as ratified in 2003 (www.ilo.org/dyn/normlex/en/f?p...12100:0...ILO...C182).
- ILO: on 2012 Findings on the Worst Forms of Child Labor in Nigeria (<http://www.refworld.org/docid/5268e5b40.html>).
- ILO: on Declaration on Fundamental Principles and Rights at Work Asia. (www.ilo.org/wcmsp5/groups/.../---asia/---ro.../wcms_099511.pdf).
- ILO: World Day against Child Labour, June 12, 2013 (www.un.org/en/events/childlabourday/background.shtml).
- ILO: The End of Child Labour: Within Reach: Global Report under the Follow-up to the ILO Report on Fundamental Principles and Rights at Work, 2006 (www.ilo.org/public/english/standards/relm/ilc/ilc95/pdf/rep-i-b.pdf)
- ILO: Convention No. 182 on the Worst Forms of Child Labour, adopted in June 1999.

- ILO: On Child Labour, 1998(<https://www.unicef.org/nigeria/children>)
- ILO: Despite Bans, Child Labour Prevalent in Nigeria (www.voanews.com/.../child-labor...nigeria).
- ILO: On Initiatives Child Labour (<https://www.scribd.com/document/.../Initiatives-Child-Labour>)
- ILO: On the Declaration on Fundamental Principles and Rights at Work, 1998 (www.ilo.org/declaration/lang--en/index.htm).
- ILO: On Gender Equality ([www.ilo.org/ipecc/areas/Migration and CL- 23rd](http://www.ilo.org/ipecc/areas/Migration%20and%20CL-23rd)).
- ILO: Eliminating child labour (www.ilo.org/dyn/normlex/en/f?p...12100:0::NO...ILO...C182)
- ILO: The End of Child Labour: Within Reach: Global Report under the Follow-up to the ILO Report on Fundamental Principles and Rights at Work, 2006.
- ILO: On the Reports on Child Labour, 1998 (https://www.unicef.org/nigeria/children_1935.html)
- Jake Okechukwu Effoduh , “The economic Development of Nigeria from 1914 to 2014” in Council for African Security and Development, January 20, 2015(Accessed 20th November. 2017 from www.casade.org/economic-development-nigeria-1914-2014).
- Justice, Development, Peace Centre (JDPC) (Accessed from catholicdiocese-sokoto.org/jdpc)
- Kann, G., Creating Opportunities for Humane Work: Work as Key to the Social Question; The great social and economic transformations and the subjective dimension of work, Libreria Editrice Vaticana. 2002.
- Kass, Leon. (Ed), “Defending Human Dignity” in ‘The President’s Council on Bioethics’: Essays Commissioned by the President’s Council on Bioethics, Washington D.C: March 2008, P.308 Levine R.A & Rebecca S, New (Eds), Anthropology and Child Development, a Cross-Cultural Reader, Malden: Blackwell, 2008.
- Katell Berthelot & Matthias Morgenstern (Eds.) ‘The Quest for a Common Humanity: Human Dignity and Otherness’ in the Religious Traditions of the Mediterranean, Boston: Brill 2011.
- Kaufmann Paul et al. (eds.), Humiliation, Degradation, Dehumanization. Library of Ethics and Applied Philosophy, C Springer Science+Business Media B.V. 2011.
- KidsRights Report: With a focus on cocoa plantations in Ivory Coast, Universiteit Leiden.<http://www.kidsrights.org/Portals/1/News/KidsRightsReport->
- Levison Debora (et al.), “Is Child Labour Really Necessary in India’s Carpet Industry”? In Anker. R.S. Barge. S. Rajagopal and M.P. Joseph (eds), Economics of Child Labour in hazardous Industries of India. New Delhi: Hindustan Publishing.1998.

- Lopez-Calva, "Child labor: Myths, Theories, and Facts." In the Journal of International Affairs, 2001.
- L. W. Geddes & W. A. Wallace, 'Person (Philosophy)' in Berard L. Marthaler et al (eds.), New Catholic Encyclopedia, Vol. 11, (2nd ed.), Thomson Gale Publ., 2003.
- Mark Weisbrot et. al., Can Developing Countries afford to ban or regulate Child Labour (www.peri.umass.edu/fileadmin/pdf/child.PD)
- Mckechnie, Jim and Sandy Hobbs(eds) "Working Children: Reconsidering the Debates, Report of the International Working Group on Child Labour" in The International Journal of Children's Rights, Vol.7, Amsterdam: Defence for Children International and International Societ for the Prevention of Child Abuse and Neglect, 1998.
- Mallikarjun Kharge, Amendment Bill introduced in the Rajya Sabha on 4th December 2012 (www.prsindia.org/billtrack/the-child-labour- prohibition-and-reg)
- Max Gluckman Politics, "Law and Ritual in Tribal Society" in Transaction Publishers, 1965, Oxford: Basil Blackwell, 1965.
- Mwenifumbo Frank, "Achieving Sustainable Development and Promoting Development Cooperation" in Dialogues at the Economic and Social Council, United Nations New York, 2008.
- Montgomery Heather, "Modern Babylon? Prostituting Children in Thailand", in Parkin, D and S. Tremayne (eds.), Fertility, Reproduction and Sexuality, Oxford: Berghahn Books, 2001.
- Mwenifumbo Frank 'Achieving Sustainable Development and Promoting Development Cooperation' in Dialogues at the Economic and Social Council, United Nations New York, 2008.
- Natural Disasters (<http://www.gamji.com/article8000/NEWS8296.htm>)
- Ngozi Ezeilo, "Child Abuse and Neglect" in A Publication of Women's Aid Collective, sponsored by Swedish NGO Foundation for Human Rights., Women's Aid Collective, 2002.
- Novak David, Natural Law and Revealed Torah, edited by Hava Tirosh-Samuelson & Aaron W. Hughes: Library of Contemporary Jewish Philosophers, ISSN-2213-6010; Volume 3, 2013.
- Odia, L.O., "Educational System in Nigeria Problems and Prospects" in the Universal Welfare Sustainable Community Development Centre, Benin City, 2007.
- Opeoluwani Ogunjimi et. al., "If we don't hustle, we don't eat" in Vanguard Newspapers of Saturday, Nigeria, June 1, 2013.
- Sally Wehmeier, et al, Oxford Advanced Learner's Dictionary, 6th Edition, New York: Oxford University Press, 2000.

- Patrick Emerson et. al, "Is there a Child Labour Trap? Intergenerational Persistence of Child Labour in Brazil" in the Journal of Economic Development and Cultural Change, 2003 51(2): 375-98.
- Paul Kaufmann , et. al.(eds.) "Humiliation, Degradation, Dehumanization: Human Dignity Violated" in Library of Ethics and Applied Philosophy, Vo.24, London: Springer Dordrecht Heidelberg, 2011.
- Powel Steve, Children Speak Out: What Influences Child Trafficking in Southeast Europe, Bosnia and Herzegovina-short report, Sarajevo; Save the Children Norway South East Europe Regional Office, 2007.
- Punch Samantha, "Household division of Labour" in Work, Employment and Society, Sage Journals, 2001, Vol.15, N.4.
- Qvortrup Jens, "School Work, paid work and the changing obligations of Childhood" In Mizen, P., C. Pole and A. Bolton (eds.), Hidden Hands: International Perspectives on Children;s Work and Labour, London: Routledge Farmer, 2004.
- Rialp Victor, "Combating Child Labour in the Philippines: Listening to the Children" In Weston, B. (ed.), child Labour and Human Rights, Boulder and London: Lynne Reiner. 2005.
- Richards, I.A., Land, Labour and Diet in Northern Rhodesia, London, Oxford University Press for the International African Inst, 1939.
- Roberth. A. Levine & Rebecca S. New (Eds), "Anthropology and Child Development: A Cross-Cultural Reader" in Journal of the Society for Psychological Anthropology, 1+366pp, Malden: Blackwell, 2008.
- Robson E "Children at work in rural northern Nigeria: Patterns of Age, space and Gender" in the Journal of Rural Studies, 2004.
- Sa'a Ovosi, Preventing Disaster in Nigeria, (www.gamji.com/article8000/news8296.htm)
- Sally Wehmeier, et al, "Childhood" in Oxford Advanced Learner's Dictionary, 7th Edition, New York: Oxford University Press, 2000.
- Save the Children Sweden: The Commercial and Sexual Exploitation of Children in St Petersburg and Northwest Russia, Stockholm: Save the Children Sweden, 2001.
- Samuel Akpobome Orovwuje, `Have confidence in the young people, give them a chance, and they will surprise you, in Daily Independent, April 21, 2014.
- Shelly Feldman et. al, "Bangladesh" in Child Labour: A Global View, by Cathryne L. Schmitz et all(eds.) London, Greenwood Press, 2004.
- Social Protection Discussion Paper Series Child Labor, Education, and Children's Rights Gordon Betcherman, Jean Fares, Amy Luinstra and Robert Prouty July 2004.
- Sergey Bulgakou, The Bride of the Lamb, Grand Rapides, Mich: W.B: Eerdmans, translated by Boris Yakim, 2002.

- Sophie Oliver, Dehumanization: Perceiving the body as In (Human), in “Humiliation, Degradation, Dehumanization” Library of Ethics and Applied Philosophy, Volume24, Springer Dordrecht Heidelberg London, 2011.
- Spaemann Roberth, “When does the Human Being Begin to be a Person” Paper presented at the International Congress Update and Bio ethical Considerations (X11th Assembly of the Pontifical Academy for Life) Vatican City, February, 2006.
- Stephen Nkereuwem Ekpenyongi et. al, “Street Trading and Child Labour in Yenegoa” in International Journal of Scientific Research, March 2011, Vol.4 (1)
- Terre des Hommes: Hilfe für Kinder. Child Labour: Stop Exploitation (<https://www.tdh.de/fileadmin/user.../04.../English.pdf>)
- The Fair Labor Standards Act of 1938(Accessed 22nd July 2014 from www.dol.gov/whd/regs/.../FairLaborStandAct)
- The Nigerian Observer Newspaper Art by David Glory: „Restoring the Glory of Nigerian Agriculture“, May, 1968)
- The Universal Declaration of Human Right.
(www.un.org/en/udhrbook/pdf/udhr_booklet_en_web.pdf)
- Tukur, B Alhaji., “Why Nigerians are not Patriotic” in Osun Defender (Nigerian Newspaper) Friday, May 25, 2012.
- United Nations Children's Fund (UNICEF), on “Childhood under Threat” (<https://www.unicef.org/sowc05/english/childhooddefined.html>)
- UNICEF: Convention on the Rights of the Child, 2006. (www.ohchr.org › OHCHR › English › Professional Interest)
- Unicef Factsheet of Child Labour in Nigeria: (https://www.unicef.org/wcaro/WCARO_Nigeria_Factsheets_ChildLabour.pdf)
- United Nations Conventions on the Rights of the Child (the Uk’s Compliance with the UN Convention on the Rights of the Child: eighth report of session 2014–15) published on 24 march 2015 by Authority of the House of Commons London.
- United Nations: Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. Adopted by a Conference of Plenipotentiaries convened by Economic and Social Council resolution 608(XXI) of 30 April 1956 and done at Geneva on 7 September 1956 Entry into force: 30 April 1957, in accordance with article 13. <http://www.ohchr.org/eng-lish/law/slavetrade.htm>.
- US Department of Labour in its 2012: (<https://www.dol.gov/ilab/reports/child-labor/findings/.../nigeria>).
- Urban Monthly Digest, March/April 1996.
- UNESCO; Education for All: Year 2000 Assessment: Glossary [CD-ROM], Paris, 2001.

- Vogelsang Frank, On the Relation of Personhood and Embodiment, in ‘The Depth of the Human Person’: A Multidisciplinary Approach Michael Welker (ed.), Michigan: Grand Rapids, 2014.
- Uwaezuoke L.E., The Issue of Child Labour in The Forum News, Vol. 5, 2014.
- Waggins D., Sameness and Substance: Oxford University Press, 1980.
- Whitehead, Ann, et.al., “Working Paper T24” in Brighton Child Migration, Child Agency and Inter- Generational Relations in Africa and South Asia: Development Research Centre on Migration, Globalization and Poverty: University of Sussex, 2007.
- White Ben “Child Labour in the international context” in McCloskey, S. (ed.), No Time to Play: Local and Global Perspectives on Child Employment, Belfast: One World Centre for Northern Ireland, 1997. Journal of International Development, 8:829–839
- Woodhead Martin, Children’s Perspectives of Their Working Lives: A participatory study in Bangladesh, Ethiopia, the Philippines, Guatemala, El Salvador and Nicaragua Stockholm: Save the Children, Sweden, 1998.
- World Population 2017(worldpopulationreview.com/countries/nigeria-population)