

CHILD LABOUR IN KWARA STATE: CAUSES AND IMPLICATIONS

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1. INTRODUCTION

Child labour is any labour related engagement which deprives children of their childhood, their potential, their dignity and which is harmful to their physical and mental development. Child labour manifests in several forms including but not limited to child trafficking and exploitation, the use of children as domestic helps or for street hawking or trading. Child trafficking is a situation where a child is being moved from one place to another for the purpose of using him or her as labourer or child-prostitution. This is usually done by an agent who might have promised the parent of such a child or the child as the case may be of better life or some enthralling monetary or kind rewards. This is similar to child exploitation as the proceeds of the work done by the child is usually collected by such agent without any benefit to the child or parents. In the same vein, street trading or hawking is another form of child labour whereby children are being used to hawk wares along the streets within the community. This opens the children to several forms of abuses which include, but not limited to sexual molestation, motor accident, kidnapping and so on.

There are laws safeguarding the rights of children against any abuse and prohibiting child labour in Kwara state and Nigeria at large. The question then is, why do we still have several cases of child labour and what are the causes of child labour in spite of these laws? The causes of child labour, particularly in Kwara state includes *high demand for domestic help, socio-cultural and religious impact, early marriage, illiteracy, family structure and parental neglect, economic benefit and finally non-effectiveness of the existing laws of Kwara state on child labour*. One of the major cause that needs urgent attention is social-cultural and religious impacts, and this is because some people see no harm in using their children for work in order to get money to maintain their family since culturally or religiously they are allowed and same has been in practice since time immemorial. The solution to this particular cause may not necessarily be legal in nature as orientations and awareness could suffice.

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In the same vein, there are several implications and consequences of child labour, they range from physical to psychological. The physical implication may include sexual molestation and health issues while the psychological encapsulates health implications and educational issues. Thus, a child who was abused through any form of child labour may not be physically fit or healthy and perhaps, he/she may psychologically think that is the right way of up-bringing children or see no harm in child labour which will make the issue of child labour an endless cycle.

2. TYPES OF CHILD LABOUR

The phenomenon of child labour is common in almost all countries in the world. However, it takes different forms. The form predominant in a particular location or country may not be obtainable in another. For instance, in sub-Saharan African, hawking/street trading seems to be most popular form of child labour.¹ Also children are usually used as domestic helps or as labourers in farm. This is certainly the case in Nigeria, particularly in Kwara State where children hawk a wide range of wares and edibles such as sachet water, plantain chips, *gala*, bread, biscuits, and so on, along the streets especially in congested areas like Motor Parks, market places.

In Nigeria, The Child Rights Act² prohibits the employment of a child for any form of work which is exploitative or which will adversely affect his health, physical, mental or spiritual or social development. Agricultural or domestic work is an exception to this rule with the caveat that it should not be outside the child's family environment.³

Further, the ILO Convention No. 182 on the worst forms of child labour, 1999 which was adopted by many countries including Nigeria,⁴ commits each state party which ratifies it to take immediate and effective measures to secure the prohibition and elimination of the worst forms of child labour as a matter of urgency. According to Article 3 (a) of the Convention, the worst forms of labour includes all forms of slavery or practices similar to slavery such as the sale and trafficking of children, debt

¹Ekpenyong, S. N. and Sibiri, A.E. *Street Trading and Child Labour in Yenegea* (Vol. 4(1), International Journal of Scientific Research in Education, 2011) 36

² The Child Right Act, 2003

³ Section 28(1) of The Child Right Act, 2003

⁴ Nigeria ratifies in 2002 the ILO's Convention No. 182 on the worst forms of Child Labour, 1999.

bondage, serfdom and forced or compulsory labour including forced or compulsory recruitment of children for use in armed conflicts.

In essence, it is clear from the above that, there are various types or forms of child labour which includes, but are not limited to domestic service, debt bondage, street trading or hawking, child trafficking and exploitation. These will be discussed in the succeeding sub-sections.

2.1 Domestic Help as a form of Child Labour

To simply put, a domestic help can be described as a person who aids the performance of daily household chores or a person employed by a household to perform various servient duties.⁵ This is often a child who has been so engaged either voluntarily or involuntarily. In Nigeria, particularly in Kwara State, women and wives are culturally meant to carry out household chores on daily basis just as they are expected to teach their wards, particularly the female child, how to carry out such duties. Thus, such children (especially the female) help their parents in carrying out the daily domestic chores.⁶ This is to prepare them for when the children would become independent. It is pertinent to note here that this cannot be categorised as a form of child labour.⁷ However, a situation where the children are used for long hours in carrying out domestic chores, or engage in work which is detrimental to their health, moral and physical development, can be categorised as a form of child labour.⁸

In Nigeria, particularly in Kwara State, some parents give out their wards either to an agent or an employer directly, for these children to be used as domestic helps. This is one of the forms of child labour which is predominant in the State. The reason for this may be linked with the fact that, women who supposed to take care of the home/house have little or no time to spend at home because majority of them are civil servants, professionals like lawyers, medical doctors and bankers who need to focus on their careers.⁹ Thus, it is inevitable for them to seek for domestic helps or servant. According

⁵ Farlex, 'The Free Dictionary' <http://legal-dictionary.thefreedictionary.com/domestic+help>

⁶ Nwokoro, C.N, *The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria* (being a thesis submitted to the department of Economics, Unlversita' DegliStudi, Roma Tre, 2011) p.14

⁷ It can be inferred from Section 28(1) d of The Child Right Act, 2003 that domestic works within children home does not amount to Child Labour. See also Section 28(1) b of The Child Right Act, 2003

⁸ Section 28(1) (c) of The Child Right Act, 2003

⁹ This is shown from the data gathered and analyzed in chapter six of this work. also Appendix A and B

to data collected in this research through interviews and questionnaire,¹⁰ the majority of those who use child labourers (house helps) are civil servant, lawyers, medical practitioners, bankers, etc. The child being used as house or domestic help is expected to take care of the house and the needs of the family of his/her employer.¹¹ He/she gets up very early in the morning to begin his/her work which may range from fetching water, cleaning the house, washing plates and clothes to cooking food. The domestic help usually works for long hours thus he/she needs to wake up early in the morning and sleep late in the night.¹²

The Child Rights Act¹³ makes provisions to the effect that every child is entitled to respect for the dignity of his person. In the same vein, it prohibits any attempt to subject a child to physical, mental or emotional injury, abuse or neglect or maltreatment or punishment.¹⁴ The Act¹⁵ further prohibits subjecting a child to any forced or exploitative labour or to work in any capacity except by a member of his family on light work of agricultural or domestic character. Also, a child should not be employed as a domestic help outside his family environment or be required to lift any object which will adversely affect his health, physical, mental or spiritual or social development.¹⁶

Similarly, the International Labour Organisation (ILO) Convention No. 182 on the Worst Forms of Child Labour 1999 prohibits all worst forms of labour. According to Article 3 (d) of the convention, any work which by its nature or circumstance in which it is carried out is likely to harm the health, safety or morals of children is prohibited.¹⁷ Thus, it is clear from the provisions of the Child Rights Act and even the Articles of the ILO convention that using a child as a domestic help is prohibited. This is because it is one of the categories of works which are harmful to the health, safety and morals of children.¹⁸ Thus, there is urgent need for adequate implementation of these laws in order to safeguard the rights of children.

Appendix A and B

¹⁰ *The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria*, p.16
¹¹ *Ibid*

¹² Section 11(a-d) of The Child Rights Act, 2003

¹³ *Ibid*

¹⁴ The Child Rights Act, 2003

¹⁵ Section 28(1) of The Child Rights Act, 2003 particularly Section 28(1) b

¹⁶ ILO convention No. 182 on the Worst Forms of Child Labour, 1999 is available at http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C182
¹⁷ accessed on 14th January, 2016.

¹⁸ Article 3 of ILO convention No. 182 on the Worst Forms of Child Labour, 1999 and Section 28 of the Child Rights Act, 2003

2.2 Child- Bonded Labour

Bonded labour which is also known as bondage is another form of child labour. This refers to the practice of pledging labour as payment or collateral on a debt. This practice has been existing since time immemorial and is not only peculiar to Nigeria, but occurs in other countries, particularly African countries.¹⁹ An example of bonded labour is a situation where a person (known as lender) lends a sum of money or any other valuable to another person (known as borrower) with a pledge that the borrower will work for the lender in setting off his debt.²⁰ Thus, child bonded labour refers to a situation where child labourer's services are offered in exchange for a loan. The child in this circumstance will work for the lender over a period of time in order to offset the debt of his/her parent. In essence, the child has little or nothing to earn from such labour aside from setting off his parent's debt. Also in some instances, this practice occurs in respect of the child who labours alone, or the service of the entire family is required over a period of time. In other cases, bondage is intergenerational such that once parents are no longer able to work to offset the debt on account of sickness, death or old age, the debts are transferred to their children. This can also be transferred to even later generations, if the children are not able to set it off.²¹ Such lenders may take advantage of the illiteracy and lack of basic skills of their victims such that in many cases, the debt actually increases instead of going down. Working conditions are also usually exploitative and inhuman.²²

3. STREET TRADING AS A FORM OF CHILD LABOUR

Street trading or hawking is a situation where people are used to hawk wares on the streets and across the various road networks. The majority of those who hawk wares across streets are usually young persons or children. The wares being hawked range from sachet water, biscuit to other edibles. Street trading and child labour have become a global phenomenon and a global concern. Estimates for Africa show that 20% of children between the ages of 10 and 14 are involved in child labour and street trading. As such, children

¹⁹ The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria (2015), p.15

²⁰ *Ibid*

²¹ *Ibid*

²² *Ibid*. p.16

have come to comprise 17% of Africa's total labour force. Nigeria alone is estimated to have between 12 and 15 million child labourers.²³ Street hawking especially by children is common in Kwara State like other States in Nigeria. In Ilorin, street hawking is not restricted to one particular sex. That is, both boys and girls engage in it. The ages of these juvenile hawkers range from twelve to seventeen years.²⁴ The dramatic increase in child labour and street trading can be attributed to several factors. 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 labour as children attempt to help support their families.²⁵

Street hawking in Kwara State is attributed to unemployment and poverty which can be traced to the poor economy of the nation.²⁶ Another factor responsible for street hawking by children is loss of parents, a situation which forces a child to fend for himself/herself.²⁷ There are various consequences of street hawking in Nigeria, particularly in Kwara State. One of these is likelihood that such hawkers have most likely lost the chance of being educated. They engage in hawking on the streets from morning till evening and as a result of which, they do not have the time to enrol in schools. Some of them may have attended school at one time, but dropped out as a result of inability to pay the required fees. In essence, majority of these hawkers lack basic education. Children who hawk on the streets in Kwara State are exposed to some unhealthy conditions as they carry out their street trading under extreme weather conditions such as excessive heat or under the rain.

Also, juvenile hawkers in Kwara State face the risk of road accidents as they face the risk of being crushed to death by moving vehicle. Such accidents involving street hawkers, especially children, occur almost on a daily basis on the streets of Kwara. Usually victims lose their wares/goods and at times, they sustain serious injuries, leading to deformities or paralysis and even death.

- ²³ Ekpenyong, S. N. and Sibiri, A. E. *Street Trading and Child Labour in Yenegea*(Vol. 4(1), International Journal of Scientific Research in Education, 2011) 36
- ²⁴ The result of a similar research conducted in Uyo in Akpan, N. and Oluwabamide, A. J. *The Menace of Child Abuse in Nigeria: A Case Study of Street Hawking in Uyo, Akwaibom State* (24(3), Journal Social Science, 2010) 189-192
- ²⁵ Ekpenyong, N. S. and Sibiri, A. E. *Street Trading and Child Labour in Yenegea* pp.36-46
- ²⁶ Muhammed, A. Y. 'An Appraisal of the Problem of Child Labour in Ilorin, Nigeria' (Vol. 11, No.1 & 2, Ilorin Journal of Business and Social Sciences) p.95
- ²⁷ Also, *The Menace of Child Abuse in Nigeria: A Case Study of Street Hawking in Uyo, Akwaibom State*, 191

Furthermore, children who hawk around the motor parks have a high tendency of imitating the negative attitudes of touts. Generally, Motor Park touts; motorcycle riders and commercial vehicle operators can be abusive and aggressive. They also engage in immoral acts such as caressing body parts of female hawkers or other female passers-by. Consequently, female hawkers are prone to sexual abuse and molestation. Unfortunately, rape/defilement cases (i.e. children's sexual abuse cases) are rarely reported. Consequences of rape include unwanted pregnancies and sexually transmitted diseases. A patent medicine store owner²⁸ in an interview said that children, especially those that engaged in hawking, often come to take injections for the cure of certain sexually transmitted disease. There is therefore, the tendency for some of them to be infected with HIV.²⁹

4. CHILD TRAFFICKING AND EXPLOITATION

Trafficking of children for the purpose of domestic service, prostitution and other forms of exploitative labour is a global phenomenon.³⁰ The International Labour Organization (ILO) National Child Labour Survey in 2003 estimates that there are approximately 15 million children engaged in child labour in Nigeria with 40% of them at the risk of being trafficked internally and externally for domestic and forced labour, prostitution, entertainment, pornography, armed conflict, and sometimes ritual killings.³¹ Nigeria from available survey is a source, transit and destination country for child trafficking.³² Currently, external trafficking of children do exists between Nigeria and Gabon, Cameroon, Niger, Italy, Spain, Benin Republic and Saudi Arabia.³³

Child trafficking and exploitation are other forms of child labour. While child trafficking occurs when a recruiter or employer causes movement of a child from one place to another, whether nationally, regionally or internationally, in order to exploit him/her, exploitation of a child can take place without that child being trafficked. An instance of exploitation is when

²⁸ Who pleads anonymity

²⁹ See also, *The Menace of Child Abuse in Nigeria: A Case Study of Street Hawking in Uyo, Akwalbom State*, 191

³⁰See 'UNICEF Information Sheet on Child Trafficking'. Available at http://www.unicef.org/.../WCARO_Nigeria_Factsheets_ChildTrafficking.pdf accessed on 02 December 2013.

³¹ *Ibid*

³² *Ibid*

³³ *Ibid*

children work for an employer without being paid or being under paid or being in settlement of their parents' debt (debt bondage). Thus, child trafficking can be separated from exploitation although the end result of child trafficking is exploitation.³⁴

Child trafficking is an old phenomenon and has its implications on the rights of children. Many of the world's ancient cultures accepted child trafficking and slavery as part of life. While slavery and slave trade were abolished centuries ago, child trafficking continues in hidden forms and is thus still widely practiced across the world.³⁵ Child trafficking usually takes place in three different stages; recruitment, movement and exploitation. Recruitment occurs when children are being approached by a recruiter or sometimes the child approaches the recruiter because of a problem that he/she is facing. Also, children may be abducted or kidnapped for the purpose of trafficking and exploitation. In the movement stage, the child (ren) will be transported through different means i.e air, water or land locally, regionally or internationally.³⁶ Finally, the child is exploited in different forms such as sexual exploitation in different ways, involvement in the drug trade, child begging, and so on. This was illustrated in number of Nigerian cases which include; *Attorney General of the Federation vs. Mrs. Sarah Okoya*,³⁷ *Attorney General of the Federation vs. Hussaina Ibrahim & 1 ors*,³⁸ *Attorney General of the Federation vs. Jean Adjai & 2 ors*,³⁹ and *Attorney General of the Federation vs. Chioma Ogborna*.⁴⁰

The causes of child trafficking and exploitation include illiteracy, poverty, low socio-economic status of the child and his parent, traditional and cultural practices, globalization and commodification of children in the market economy, growth of tourism, growing demand for adoption, degeneration of moral values, lack of educational opportunities, social vulnerabilities and weak law enforcement.⁴¹

³⁴ *Agui C. Child Trafficking: A Scourge on Humanity* (Indian Journal of Human Rights and the Law, Vol.9, No.1-2, January-December, 2012) p.53

³⁵ *Ibid*, p.52

³⁶ *Ibid*

³⁷ (2004)(unreported case)

³⁸ (unreported case) Kano State High Court Judgment

³⁹ (2005)(unreported case) Ilaro, Ogun State High Court.

⁴⁰ (2005)(unreported case) Uyo High Court.

⁴¹ *Ibid*, p.57

5. CAUSES OF CHILD LABOUR IN KWARA STATE

There are several causes of child labour in Kwara state. These range from high demand for domestic help, early marriage, socio- cultural impacts, illiteracy, economic benefit, family structure and parental neglect. All these will be discussed under this sub-heading.

5.1 High Demand For Domestic Help

As earlier noted, a domestic help is a person who assists his or her master or employer in carrying out his/her domestic chores usually, on a daily basis.⁴² More often than not, children are being used as domestic helps in Kwara state. Before now, the demand for house help is minimal due to the fact that majority of married women in Kwara state were full-time house wives and totally dedicated to the performance of their daily house chores, though, with the assistance of their wards particularly female children.

However, today the majority of married women are either civil servants, professionals like lawyers, bankers, and traders who are forced to devote much of their time to their careers and businesses as they have to resume early at work and close late in the evening.⁴³ Thus, it is inevitable for them, to seek the assistance of domestic help(s). The persistent increase in the demand for domestic helps has contributed adversely to child labour in Kwara state.

5.2 Socio-Cultural and Religious Impact

Another cause of child labour is culture and religion. The influence of cultural and religious practices depends on what is obtainable in a particular locality or country as the case may be. While socio – cultural impact refers to the influence of the society and the way of life of people living there. Religious impact on the other hand, is the influence of the state of belief of individual member of the society. The state of individual belief may be according to Christianity, Islamic or traditional religious dictates. One of the social occurrences that have contributed to child labour is the issue of broken homes and child neglect. While broken homes refers to a situation

⁴² Farlex, 'The Free Dictionary' <<http://legal-dictionary.thefreedictionary.com/domestic+help>> accessed on 14th January, 2016.

⁴³ The data gathered and analyzed in chapter six shown that, the majority of the women who seeks the assistance of domestic helps are either civil servant, professionals like lawyers, bankers, and traders. See also Appendix A

when a marital relationship between the husband and wife had broken down irretrievably, child neglect on the other hand, is a situation where a parent neglect the care of his / her child. This may be as a result of his/her busy schedule or inability to meet the needs of such a child. Such children may resort to child labour in order to sustain their lives.⁴⁴

Furthermore, the majority of the inhabitants of Kwara State who are Muslims believe in polygyny as demanded by their faith. In Islam as in the Yoruba culture, Muslims are permitted to marry more than one wife.⁴⁵ In most polygamous families, it is the responsibility of the wife as well as the husband to take care of their wards.⁴⁶ However, child labour becomes more attractive when the parents cannot take care of their children financially.⁴⁷ Thus, there is the tendency that parents (in a polygynous family) will put their wards to labour in order to sustain the family and to support their earnings.

5.3 Early Marriage

Early marriage is also one of the causes of child labour. This was the practice in Kwara State and it has impacts child labour.⁴⁸ The ages of those who engage in early marriage is usually within 13 – 18.⁴⁹ Thus, there is the tendency that the couple in early marriage will lack some basic things. For instance, such a couple may not be well educated or fully engaged in a job. In Kwara State, both the culture and the religion (particularly) Islam encourages early marriage particularly for female child. This is commonly practised in rural areas and it is done to protect female child from all types of sexual abuses and molestation. However, the issue of early marriage has greatly reduced in Kwara State as people are enlightened and as child marriage has been prohibited.⁵⁰ It is important to note that, parents who married early and started having children without any means of sustaining themselves including their children may resort to child labour. Thus, victims of early

⁴⁴ Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.139

⁴⁵ Q4 : 3

⁴⁶ Donli H.N 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.150. Also failure to carry out their responsibility is an offence under Sections 238 and 301 of the Penal Code and Criminal Cod Respectively.

⁴⁷ See Appendix 'A'

⁴⁸ Ibid

⁴⁹ Ibid

⁵⁰ Section 21 of Child's Right Act, 2003

marriage may end up using the products of their marriages as labourers in order to supplement their meager incomes.

5.4 Illiteracy

An illiterate can be described as a person without formal education or a person who does not know how to read and write. Thus, illiteracy can be described as inability to read or write in English Language.⁵¹ In Kwara State like any other States in Nigeria, majority of those who make their children to hawk, trade or who sent their wards to an employer as domestic helps have little or no educational background, perhaps they are illiterates. Illiteracy and inability to complete one's education are the consequences of child abuse and neglect. Poverty, ignorance, child labour, broken homes and early marriage, are some of the causes of this problem. Some children drop out of school because of financial difficulties. Others are unable to attend, largely because of the abject poverty of their parents and are therefore constrained to work in order to support their families. Because of ignorance, some parents do not believe in sending their female children to school, while others withdraw them from school for early marriage.⁵²

Every child has an inherent right to education.⁵³ Therefore educational neglect by the Government, parents and school authorities in whatever form, is an abuse. Frustration of the system, lack of facilities, teaching aids and books, lack of parental supervision and assistance, unwarranted and excessive corporal punishment and sexual abuse by teachers are also related to this problem as a combination of some of these may influence or force a child out of school. However, more than any other factor, financial difficulty is responsible for this problem.⁵⁴ Of the parents as shown in Table three (3)⁵⁵, about 42.2% of the parents had no formal education; 31.1% had primary education; while 26.7% had secondary education. From the data, it can be deduced that more than 70% of the respondents had either no formal education or primary education. Their level of education may have accounted for the release of their children for child labour, as they have little or no information about the socio-economic and health implications of child labour. They are equally ignorant of the laws prohibiting child labour.

⁵¹ Hornby A.S. 'Oxford Advanced Learner's Dictionary' P.742

⁵² 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.149

⁵³ Section 18 of the 1999 Constitution (as Amended)

⁵⁴ 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.149

⁵⁵ Ibid

Also, one of the factors affecting child labour in Nigeria and particularly Kwara State is the level of education and exposure of the parents who involve their wards in child labour. Thus, parents who have formal education and who by their level of exposure know the implications of child labour will never allow their wards to be involved in child labour no matter the short-term economic benefit. On the other hand, parents who have little or no education are those who engage their wards in child labour such as child trafficking, domestic help, street trading and so on.

5.5 Family Structure And Parental Neglect

Family structure can be described as the nature and form of a particular household. While parental neglect is a situation where parents neglect their wards without making adequate provisions for their needs. The structure of the majority of households studied in Kwara State is large due to the fact that, they are polygamous in nature.⁵⁶ It is important to note that, child abuse or child labour is more likely to occur in a crowded home with a large family. The size of the family is therefore a potential source of child abuse, especially where the family is large and poor. In the African tradition, family planning is not common.⁵⁷

However, the changing economic climate has now made the need for family planning to be obvious. Yet there are still people, especially in the rural areas and in the low income group and urban slum dwellers who continue to have large family. It is their belief that it is God that feeds and takes care of children. Thus, they see no need to predetermine the number of children a family may have. Also, household violence which occurrence is in a greater percentage in most large households forces children to abandon their families to live elsewhere and to survive they inevitably engage themselves in child labour.⁵⁸

5.6 Economic Benefits

Another cause of the child labour is the temporary and short-term economic gain which the child or his / her parents stands to achieve from child labour. For instance, involvement of children in agricultural production by their parents in farms may yield more produce (output) which will in turn yield

⁵⁶ See Appendix 'A'

⁵⁷ 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.140
⁵⁸ TGG 'The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria', p.22

more gain after sale. Thus, family with more children to work at their farm (s) will have more produce (output) at the end of the farming period and earn more proceeds at the end of the day. Most parents also sent out their wards to work as domestic helps or engage them in street trading purposely because of economic gain. However, the child who is being used as domestic help or used to hawk around the street has little or nothing to benefit from it as it is the parents who collect the proceeds of such labour.⁵⁹ Regrettably, this act robs the children of his/her rights to education and deprives the society of its future labour force.

It is important to note that, one of the factors affecting child labour in Kwara State and Nigeria as a whole, is the economic gain, the parent stand to gain from the child labour. Though, such economic gain is in short term in nature as the menace of child labour affects overall economy of a particular State at the long run, as the child labour will grow up as illiterate who have little or no impact on economic development of their State. This has been established by many researches.⁶⁰ The parents who engage their wards in child labour are usually poor who can hardly sustain their family with their income. In fact one of the major aims of such parents is to use the money collected by their child who works as house help or who has been trafficked to support their meager incomes.⁶¹

Also, in case of debt bondage or child bonded labour, the parent borrows money from a lender with a pledge that, if he could not set it off, his child will work for the lender to set off the loan. This is done because of the economic gain, the parent will gain from using his child as a labourer. Poverty has been identified as one of the major causes of child labour. Thus, there is the tendency that a poor parent will involve his child in labour in order to sustain the family or supplement his meagre income.⁶² Thus, the lower the economic benefit the parents stand to gain from child labour, the lower the level of parent's involvement of their wards in child labour. This constitutes one of the important factors that contribute adversely to the menace of child labour in Kwara State.

⁵⁹ 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.135

⁶⁰ See 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.148. See also Anjuli S. 'Child Trafficking: A Scourge on Humanity' p.59. See also Ugal, D.B. and Florence U. 'Child Labour in Nigeria: Causes and Consequences for National Development' available at <<http://ssrn.com/abstract=1514460>> accessed on 14th January, 2016.

⁶¹ 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' p.135

⁶² *The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria*, p.15

5.7 Gender

Gender is a crucial determinant of whether a child engages in labour. While child labour is an infringement of the rights of all children – boys and girls alike – girls often start working at an earlier age than boys, especially in the rural areas where most working children are found.⁶³ Girls also tend to do more work in the home than boys. As a result of adherence to traditional gender roles, many girls are denied their right to an education or may suffer the triple burden of housework, schoolwork and work outside the home, paid or unpaid.⁶⁴

In the Dominican Republic, for example, girls are expected to care for their siblings as well as complete household tasks.⁶⁵ As a result, almost twice as many girls as boys perform domestic chores. In Egypt, girls are expected to do the majority of work in the home. Parents are often reluctant to send their girl children to school because educating them is not viewed as a good investment because they are expected to get married and leave the home.⁶⁶ Paid Domestic Service is often seen as a particularly suitable form of employment for girls. Research indicates that worldwide, domestic service is the main economic activity for girls younger than 16 years, with more girls employed in this sector than in any other form of work. The majority of the children engaged in domestic service – over 90 per cent according to studies conducted in the 1990s – are girls.⁶⁷

In Ghana and Nigeria alike, where girls are traditionally seen as homemakers, many mothers encourage their daughters to start working as domestics. Domestic labour becomes even more hazardous when children are trafficked into another town or country to take up service, especially when they do not speak the local language. There is a close correlation between gender

⁶³ Give girls a chance: End Child Labour
<http://download.elle.org/docs/IRISDocuments/Human%20and%20Trade%20Union%20Rights/Child%20Labour/2009%20World%20Day%20Against%20Child%20Labour/2009-00078-01-E.pdf> accessed on 11 March 2014

⁶⁴ Child labour: Are girls affected differently from boys? http://www.unicef.org/sowc07/docs/sowc07_panel_3_3.pdf accessed on 11 March 2014

⁶⁵ Amornin, A. and Osseltan, N. "HIV/AIDS and child labour in sub-Saharan Africa", in Hugh, D. Hindman (ed.), *The world of child labour: A historical and regional survey* (Armonk, NY, M.E. Sharpe) 177-184

⁶⁶ Child labour: Are girls affected differently from boys? http://www.unicef.org/sowc07/docs/sowc07_panel_3_3.pdf accessed on 11 March 2014

⁶⁷ Ibid

and the reasons for trafficking, with girls being trafficked mainly for domestic service and commercial sexual exploitation.⁶⁸

Globally, one in every 13 female child workers is a domestic worker (or 7.5 per cent), and the ratio is as high as one in four in Latin America and the Caribbean, and almost one in three in the Middle East. Improving working conditions in this sector has broader ramifications for greater gender equality in society.⁶⁹ Around the world, an estimated 100 million girls between 5 and 17 years old were involved in child labour in 2004.⁷⁰ Many girls do similar types of work as boys, but often also endure additional hardships and face extra risks. Moreover, girls are frequently exposed to some of the worst forms of child labour, often in hidden work situations including in agriculture and domestic work.⁷¹

Access to education is a human right⁷², and an important foundation for an individual's future prosperity and welfare. In many cultures families place more value on the education of boys than girls. If a family has to make a choice between sending a boy or girl to school, the girl often loses out.⁷³ Much discrimination and violence against girls remains invisible, particularly in wartime or post-conflict situations, in areas suffering from HIV/AIDS crisis, in cases where families are migrants or refugees, and in rural areas.⁷⁴ Girls may be forced into early marriage and early pregnancies, a negative experience with devastating consequences for too many. Girls are also more likely than boys to be victims of trafficking. The extreme exploitation of girls in the worst forms of child labour includes slavery, bonded labour, prostitution and pornography.⁷⁵

In 2000 the international community established the Millennium Development Goals. These targets that by 2015 all children should be able to

⁶⁸ *Ibid.*

⁶⁹ *Who are domestic workers?* <http://www.ilo.org/global/topics/domestic-workers/WCMS_209773/lang-en/index.htm> accessed on 11 March 2014

⁷⁰ *The end of child labour: Within reach, Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work 2006* (ILO, Geneva 2006)

⁷¹ *Give girls a chance: End Child Labour* <> accessed on 11 March 2014

⁷² Article 23, Universal Declaration on Human Rights

⁷³ *Give girls a chance: tackling child labour, a key to the future* <> accessed on 11 March 2014

⁷⁴ ILO Programme on HIV/AIDS and the World of Work: *HIV/AIDS and work: Global estimates, impact on children and youth, and response* (ILO, Geneva 2006) 33

⁷⁵ *Give girls a chance: End Child Labour* <> accessed on 11 March 2014

go to primary school, and gender disparity should be eliminated from both primary and secondary education.⁷⁶

5.8 Population Density

Population is the total number of people living within a particular geographical location or place. It is the total number of inhabitants constituting a particular race, class or group in a specified area. The population may be moderate and at time there may be over population in cases where the inhabitants are more than the resources available.⁷⁷ Population is another factor affecting child labour in Kwara State. The reason for this is simple. Each family constitutes the larger population within the state. Thus population increases when the number of the household and its members increases.

In a situation where there is over population, children who ought not to be among the labour force, may be forced to labour due to limited resources in order to sustain or support their families. Also, in a family where members engage in agricultural work, the larger the number of the members of the family, the more efficient their work is, thus their large number may safeguard children from child labour. However, in a smaller household, the child may be forced to work in order to sustain the family and to supplement their parent's work.⁷⁸ Similarly, in a polygamous family where the number of the members of the family are large, and the income of the family is meager, the children of such a family may be forced into child labour.

5.9 Unemployment and Under Employment

This also constitutes another factor affecting child labour in Nigeria and Kwara State. Unemployment is a situation where a person who is qualified and fit to work cannot secure any opportunity to do so. While underemployment is when a person is employed but his wages or salary are far

⁷⁶ Give girls a chance: End Child Labour

⁷⁷ <http://download.elle.org/docs/IRISDocuments/Human%20and%20Trade%20Union%20Rights/Child%20Labour/2009%20World%20Day%20Against%20Child%20Labour/>

⁷⁸ Farlex, 'The Free Dictionary' <<http://www.thefreedictionary.com/population>> accessed on 14th January, 2016

⁷⁹ Donli H.N., 'Socio-Legal Consequences of Child Abuse' in 'Women and Children under Nigerian Law' (Vol. 6, Federal Ministry of Justice Law Review, Intec Printers Limited, Ibadan) P.140

below the worth of his qualification or his input in such a job.⁷⁹ Both unemployment and under-employment have impacted directly on the purchasing power of households⁸⁰, which in turn forces members of such household (particularly children) to engage in labour which may hinder their health, physical and mental development.

Among the causes of unemployment is gross mismanagement of national resources leading to wasteful spending and misappropriation of funds; neglect of the important sectors such as agriculture where the country has comparative advantage; weak infrastructural facilities and lack of political will to implement well-meaning policies that can open up the Nigerian economy to private sector participation.⁸¹ In addition to this is the weak education system that is not efficient enough to equip youths with requisite technical and entrepreneurial skills to be employable in the first instance.⁸² Unemployment has far reaching consequences on any country's economy as it breeds social unrest and increases violent crimes since the unemployed youths are readily available to be used as political thugs, robbers, kidnappers etc.

6. IMPLICATIONS OF CHILD LABOUR

The menace of child labour has several implications both short and long term. The short term implications include sexual abuse and the ill-health while the long term includes inadequate educational development and economic implications. These are as follows:

6.1 Sexual Abuse and Molestation

Sexual abuse and molestation are some of the implications of child labour. Sexual abuse simply means the use of a child sexually. This usually takes the form of either having carnal knowledge of a child or indecently dealing with a child in an erotic manner such as fondling of a child's genital organs. It is one of the most spiteful forms of abuse a child can be subjected to. It may persist for a long time, without any manifestation especially where the parents or guardians are not vigilant.⁸³

⁷⁹ Hornby A.S. 'Oxford Advanced Learner's Dictionary' (7th Edition, Oxford University Press, UK, 2006) p.1604 & p.1609

⁸⁰ *The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria*, p.21

⁸¹ *Ibid*

⁸² *Ibid*

⁸³ Etim P.S, *Socio-Legal Consequences of Child Abuse in Women and Children under Nigerian Law*. p.170

This can occur from street trading where a female child would be cheaply lured with money or other things in order to have canal knowledge of her. The Child Abuse Prevention and Treatment Act CAPTA's definition of sexual abuse includes: the employment, use, persuasion inducement, enticement, or coercion, or assist other person to engage in any sexual explicit conduct for the purpose of producing a visual depiction of such conduct; or the rape, and in cases of caretaker or inter-familial relationships, statutory rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children.⁸⁴

Although, there are robust legislations⁸⁵ on the prevention of sexual abuse and molestation much still needs to be done to save children from sexual abuses. Some of these experiences are reported in Kwara State.⁸⁶

6.2 Inadequate Educational Development

Another implication of child labour is inadequate educational development. Children at their precious age have right and they ought to have been given adequate opportunity to basic education. This ought to continue until the child grown up as an adult.

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.⁸⁷ Over eight million children manage, at least partly, to stay in school and work in their spare time to pay fees. Due to high demand at work,

⁸⁴ 42 U.S.C.A. §106 (4) (2010).

⁸⁵ The 1999 Nigerian Constitution (as amended), The Child's Rights Act, 2003, Trafficking in Persons Act, 2003 and so on

⁸⁶ On April 20, 2012, one Akanbi, 65, sexually abused a school girl at Ita-Adu area of Ilorin. The victim was sent on errand by her school teacher when she was accosted by the old man who lured her to his house and allegedly raped her. The teenager whose name was not disclosed claimed that as soon as the old man who is an "Islamic cleric" held her by the hand, she lost her memory until the man gave her certain portion to drink before she regained her consciousness and knew what had happened to her. She then alerted the people around who called the police to arrest the man who was subsequently charged before an Ilorin Magistrate Court on two-count charge of rape and child abuse. At the last hearing before Magistrate Ibrinke Olawoyin, the alleged rapist was ordered to be remanded in prison custody until the adjourned date.

⁸⁷ Unicef, 'Unicef Factsheet on Child Labour in Nigeria, 2006' available online

<<http://areconsearch.umn.edu/bitstream/198128/2/9-231-AJAR-D-3%285%292013.%20337-345.pdf>> accessed on 9th February, 2016.

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.⁸⁸ Thus, frequent increase in child labour will lead to decline in human capital as a child who is employed all through the day, is likely to be uneducated and have low productivity as an adult.⁸⁹

Also, there is every tendency that child labourers will have no time to attend school or even drop out of school if he could not cope with the two at the same time.

6.3 Health Implication

Another implication of child labour is the health challenges which child labourers are prone to. There are several health challenges attached to different forms of child labour. Children who hawk on the streets in Kwara State risk exposing themselves to extreme weather conditions such as excessive heat (as they trade under the sun) or excessive cold (under the rain). This makes them to be prone to malaria, pneumonia and other illness and diseases. They also face the risk of road accidents. Where children face the risk of being used and exploited sexually, such as in forced prostitution, sex-tourism and pornography,⁹⁰ the victims are prone to sexual health challenges such as HIV and other sexually contacted diseases.

Also, there could be physical injuries and a mutilation caused by badly maintained machinery on farms and in factories just as there is the risk of long-term health problems such as pesticide poisoning, respiratory disease, asbestosis and a variety of cancers which are common in countries where children are forced to work with dangerous chemicals. Other health challenges include exhaustion and malnutrition with children working long hours in unbearable conditions and not earning enough to feed themselves adequately.⁹¹

6.3 Economic Implications

Child abuse has negative and positive economic consequences. On the negative side, is the premature incorporation of the child into the labour force

⁸⁸ *Ibid*

⁸⁹ *The Challenge of Child Labour to Achievement of MDG2: Case Study of South-East Nigeria*, p.22

⁹⁰ Anjuli S. 'Child Trafficking: A Scourge on Humanity' pp.53-54

⁹¹ ECLF Foundation, 'Addressing the Challenges of Child Labour in Tobacco Growing' available at <<http://www.ecit.org>> accessed on 14th January, 2016.

as the employers could take advantage of the child. He/she may not be paid adequate wages for his labour. In the long term, child labour has an adverse economic effect on the nation. Because the child labourers may be without skills and education, the nation will be robbed of high level manpower required in the future to sustain the nation's economy.

On the positive side though short term, is the massive contribution of child labour to the economy. This can be seen from the huge number of children engaged in child labour. UNESCO has put the figure of children under the age 13 engaged in child labour at 16 million, while the figure supplied by the International Labour Organization, for children in African under the age of 15, engaged in regular employment is about 10 million. Thus, such a huge number of labour forces have positive effects on the economic situation of the world even if, such is for a short period.⁹²

7. CONCLUSION

With specific attention on the experience from Kwara State in the North Central part of Nigeria, this paper has examined the various types of child labour, its causes, factors affecting it and its implications. It was revealed that the types of child labour include domestic service, debt bondage, street hawking, child trafficking and exploitation. Also, the causes of child labour examined in this paper include but not limited to high demand for domestic help, early marriage socio-cultural dictates, illiteracy, economic benefit, family structure and parental neglect. The implications of child labour include sexual abuse and molestation, health challenges, inadequate educational development and economic implications.