

## ANALYSIS OF THE WORST FORMS OF GIRL CHILD LABOUR IN NIGERIA

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### Abstract

*Child labour is a national issue that have steered both International and local concern. It had been observed that over 15 million children aged 5 - 14 years were engaged in child labour in Nigeria. This work examined the meaning, various forms of child labour, the causes and the consequences of child labour in Nigeria, with particular reference to the girl child. This work adopted the doctrinal research methodology with analytical approach using statutes, journals, articles, Internet materials as primary and secondary sources in examining the worst forms of child labour in Nigeria and found that poverty, high cost of education, culture, parents' poor decision making and lack of adequate public enlightenment are the catalysts of child labour. The work therefore recommended that parents, guardians and the society in general must realize that they have legal and moral obligation to bring up children in a healthy and developed society by guarding against all forms of their involvement in child labour practices.*

**Keywords:** Child Labour, Girl Child, Nigeria

### 1.0 Introduction

Recently the statistics of the International Labour Organization, (ILO) 2021 Global Report<sup>1</sup> has it that, 160 million children are in child labour, 62.9 million girls, 97 million boys, 79 million in hazardous child labour. For many years, child labour has been one of the biggest obstacles to social development. It is a challenge and long-term goal in many countries to abolish all forms of child labour. Especially in developing countries, it is considered as a serious issue these days. A lot of measures have been taken to tackle the continued increase of child labour, as it has continued to thrive in different forms in Nigeria. In Nigeria, children work as street vendors, beggars, shoe shiners, car washers, watchers, scavengers, feet washers, apprentice in car mechanics, vulcanizers, bus conductors, iron/metal workers, carpenters, tailors/weavers, hair dressers/barbers, caterers, domestic servants, farm and quarry workers.<sup>2</sup>

The United Nations' CRC recognizes the child as having the dignity of the human person by attributing the fundamental rights of a person to the child. Girl child labour means any work that deprives a child of its childhood and right to education or is detrimental to the physical, mental, moral and social well-being of the child. Thus, a work amounts to girl child labour if it is exploitative, injurious, discriminatory to any aspect of the developing personality of the girl child. It is important to note that for the purposes of this study, that the researchers will be restricting their scope to the girl child, notwithstanding that most of the worst forms of child labour cuts across to both the boy child and the girl child.

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<sup>1</sup> R Melville, 'The International and Regional Frameworks on Child Labour and its worst forms' *ILO Project Coordinator, Regional Initiative*, December 2022 <[https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sreport\\_of\\_spain/documents/presentation/wcms\\_862865.pdf](https://www.ilo.org/wcmsp5/groups/public/---americas/---ro-lima/---sreport_of_spain/documents/presentation/wcms_862865.pdf)> accessed on 9 August 2023.

<sup>2</sup> I Ezeonyeasi, *A Theological Analysis of Children's Rights in the Context of Working Children in South East Nigeria*. (PhD Dissertation, Department of Humanities, University of Roehampton, London, 2019, PP114) <[https://pure.roehampton.ac.uk/ws/portalfiles/portal/2700040/A\\_theological\\_analysis\\_of\\_children\\_s\\_rights\\_in\\_the\\_context\\_of\\_working\\_children\\_in\\_South\\_East\\_Nigeria.pdf](https://pure.roehampton.ac.uk/ws/portalfiles/portal/2700040/A_theological_analysis_of_children_s_rights_in_the_context_of_working_children_in_South_East_Nigeria.pdf)> accessed on 8 December 2023.

## **2.0 Who is a Child?**

Child's Rights Act Section 277,<sup>3</sup> unequivocally defines a child as any person under the age of 18 years. By Section 274, of the Act, the provisions of the Act supersede the provisions of other enactments relating to children. The definition of a child under the Child's Rights Act is in consonance with those in earlier international treaties namely: The Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the child.

The age of a child also suggests that the girl child is at a certain stage of development and maturity. From the perspective of the law, a girl child's age implies that she is permitted to do certain things and not others. For there to be a child also suggests the presence of parents or careers who takes responsibility for the child. Hence, Section 1 of the Child's Right Act<sup>4</sup> states that the "Best interest of a child is to be of paramount consideration in all actions." A child to be given protection and care necessary for her well-being. We owe the girl child duty of care, which is an obligation that one has to fulfill while responsibility is the act of accepting and acting on a task that has been assigned to you.

## **3.0 The Rights of the Girl Child**

The Nigerian child is endowed with basic inalienable rights under Part II of the Child's Rights Act which are:

- a. Right to survival and development;
- b. Right to a name;
- c. Freedom of association and peaceful assembly;
- d. Freedom of thought, conscience & religion;
- e. Right to private and family life;
- f. Right to freedom of movement;
- g. Right to freedom from discrimination;
- h. Right to dignity of the child;
- i. Right to leisure, recreation and cultural activities;
- j. Right to health and health services;
- k. Right to parental care, protection and maintenance;
- l. Right to free, compulsory and universal primary education;
- m. Right of the unborn child to protection against harm.

It is important to note that these rights highlighted are in addition to the fundamental rights to life; right to dignity of human person; right to personal liberty; right to fair hearing; right to private and family life; right to freedom of expression and the press; right to freedom of movement, right to freedom from discrimination guaranteed under sections 33 to 42 of the 1999 Constitution of the Federal Republic of Nigeria<sup>5</sup>.

Under the Child Rights Act, certain activities in relation to the Nigerian Child are prohibited which include:

- i. Marriage and betrothal of a child below the age of 18 (Punishable with term of imprisonment of 5 years or fine of ₦500,000 or both);
- ii. Exploitive labour of a child is prohibited under the Act: no child shall be employed as a domestic help outside her own home or family environment (punishable with a term of imprisonment of 5 years or fine of ₦500,000 or both);
- iii. Prohibition of buying, selling, for the purpose of Begging and Prostitution: No person shall, buy, sell, dispose of or otherwise deal in a child. A child shall not be used for the purpose of

<sup>3</sup> Child Rights Act, 2003, Cap C50 LFN 2004

<sup>4</sup>*Ibid*

<sup>5</sup> Constitution of the Federal Republic of Nigeria, (1999) (as amended).

begging for alms, guiding beggars, prostitution, pornography, domestic or sexual labour or for unlawful or immoral purpose, or as a slave or practices similar to slavery such as trafficking of the child, debt bondage, serfdom, forced and compulsory labour, hawking or for any purpose that deprives the child of the opportunity to be in school. A person who contravenes this Section 30 Child's Rights Act shall be liable to 10 years imprisonment.

#### 4.0 Child Labour:

According to the International Labour Organization (ILO); 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, physical, socially or morally dangerous and harmful to children; and/or interferes with their schooling by: depriving them of the opportunity to attend school. Although work is part of life and may be full of its own benefits. When work carries out by children does not involve risks and danger but rather contributes to the welfare of the children, especially their self-esteem and their ability to be integrated within their families, their work is labeled "work" and not "Labour"

According to United Nations Children Education Fund (UNICEF) on the scourge of child labour stated that a child victim of labour is known when she:

- i. Starts full time work too early in life and spends too many hours on work outside the family,
- ii. Participate in work that result in excessive physical, social and psychological strain.
- iii. Works and lives on the street
- iv. Has too much responsibilities
- v. These among other inceptors suggest a sorry state of affairs that is entirely based on exploitation of the child.

#### Causes of Girl Child Labour

**5.1 Poverty:** According to Brat and Rather,<sup>6</sup> studies have showed that one of the most notable reasons for child labour is poverty. Poverty is undoubtedly the predominant cause of child labour around the world. Children of impoverished households and parents who have no means of subsistence are most likely to engage in child labour in order to survive. If the family live below the poverty line, parents see children as part of contributor in their family income. Lack of means has brought patent hardship on families of which the girl children are part. Most have now resolved to survive by having "all hands-on deck". According to a Nigeria Poverty Statistics, the poverty rate in Nigeria in the south-west of the country is 19.3 percent. That of the South-South of Nigeria is 25.2 percent. The statistics also revealed that the poverty level in the South-East is about 27.4 percent. In the North Central, the level of poverty is 42.6 percent. The North-East and the North-West are the regions of the country with the highest level of poverty. The poverty level in the North-East is 76.8 percent while the poverty level in the North-West of Nigeria is 81.1 percent.<sup>7</sup>

**5.2 High Cost of Education:** Another primary cause which drives child labour is the absence of schools or qualitative education. Lack of education or poor quality education contributes to high incidence of child labour. Education is considered one of the main alternatives to abolish child labour. Practically, family income affects children's education and poor parents cannot afford to pay for children however, children are compelled to work and are less enrolled. According to ILO<sup>8</sup>, Children

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<sup>6</sup> B A Bhat and T A Rather, 'Child Labour in the Handicrafts Home Industry in Kashmir: A Sociological Study', *Int NGO J*, 4 9(2009).

<sup>7</sup> S Olawale, 'Nigeria Poverty Statistic and Nigeria Poverty Rate in Nigeria' available online at <<https://naijaquest.com/nigeria-poverty-statistics/>> accessed 10 December 2023.

<sup>8</sup> ILO, 'What is Child Labour', (ILO publication, 2020) <<https://www.ilo.org/ipec/facts/langen/index.htm#:~:text=The%20term%20%E2%80%9Cchild%20labour%E2%80%9D%20is,harmful%20to%20children%3B%20and%20Fo>> accessed on 16 December 2023.

work because they do not have any better alternative. It has been observed that in many communities particularly the rural areas— where between 60% - 70% of child labour is prevalent, do not possess adequate school facilities. Even when schools are sometimes available, they are too far away, difficult to reach, unaffordable or the quality of education is so poor that parents wonder if going to school is really worth it. Young girls are forced to drop out from school when their school fees are not paid by their parents or guardian. When these girls are forced out of school, they are forced to do odd job to make ends meet. Incessant school fees increase makes an average income earner to find it difficult to provide for their children.

**5.3 Parental Neglect and Decision making:** It is the responsibility and duty of parents to train, cater for and nurture their children; and children have the right to rely on their parents and expect their parents to cater for them. Parents in some cases fail to provide basic necessities like food, sustenance and medicare. The decision to engage in child labour as a means of economic benefits or other seeming advantages is entirely the decision of the parents, guardians or the child in some cases. It is the parents in most cases who decide in the face of family poverty between work and school for their children. Parents believe that it is the responsibility of their children to provide for them especially in old age. Sometimes this has led some parents to have more children even when the family income is low.<sup>9</sup>

**5.4 Culture:** There is a widely held belief or idea in some part of the country that having children work as early as possible in life prepare them for tomorrow, especially the girl child to make her a good wife. Other such myths are: The child is the property of her parents who use the child as they please, what they do with her is nobody business. A child is spoilt and will be no good if not flogged. A child is better brought up when they are sent to other families. A child who is made to suffer grows in wisdom. For these reasons, children are sometimes allowed to become earners early in life, as they have to work in environments different from that in which they were brought up.

**5.5 Urbanization:** The quest for Eldorado and the golden age in cities has brought tremendous pressure on young ones to move to urban areas where they hope to get jobs. Girl children whose parents are unable to care for them are found in big city brothels.

**5.6 War, Conflicts and Displacements:** A basic effect of war, conflict, flood and insecurity is the displacement of persons fleeing bombardments and attacks. Often, food, water and other supplies cease and survival become that of the fittest. Children whose parents might have died may have to become circumstantial adults earning a living as domestic servants.

## **6.0 Types/forms of Girl child labour**

Child labourers are involved in many different forms of works, which include risks and hazards. According to ILO<sup>10</sup> the vast majority of child labour is involved in hazardous occupations such as agriculture, mining, manufacture, construction, bonded child labour, domestic work and fishing. Environmental and occupational conditions can impact on the health and development of the young girls. Young girls working in different sectors such as agriculture, factories, domestic labour, sex workers and carrying out their illicit activities, migrant labourers, and on the streets as vendors etc. The effect of job and activities can vary from country to country.

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<sup>9</sup> *Ibid.*

<sup>10</sup> *Ibid*

### 6.1 Young girls work in Agriculture

In a traditional Nigerian setting, the family unit stands as its own economic unit and the children are the basic labour force. Nowadays, young girls in rural areas of the country engage in agriculture especially in areas where agriculture is the dominant occupation. Studies have shown that young girls start working in the farm from seven years of age. These Young girls are exposed to harsh climatic conditions of the tropical zone, sometimes with dangerous implements and conditions. In many instances, working young girls are poorly paid, have no job protection and do not belong to work unions to better their conditions. Employing young girls in the informal sector seems to be a source of low-income labour as young girls and young boys compete with the adults for employment at all costs. Young girls provide cheap labour for production of food and crops. Odukoya<sup>11</sup> avers that with the introduction of education during the colonial era, there are young girls who still go to farm after school, weekends and holidays in order to support the family or raise some funds.

### 6.2 Young girls as Street-traders

Trading is a popular occupation in Nigeria from early days. Before the introduction of cowries as legal tender, goods and services were exchanged through trade by barter. Trade by barter involves young girls hawking goods. There is a cultural practice in Northern Nigeria to keep women in harems and these women are not allowed to come out in public places. These women in seclusion engage in several businesses through their child traders.<sup>12</sup>

Oloko<sup>13</sup> identifies four categories of street trading, namely; those that sell their wares by moving from door to door in planned neighbourhoods such as, barracks and college compounds, those who sell their wares by going from door to door in unplanned residential neighbourhoods, those who sell their wares by peddling from place to place on street and roads including highways, and finally those who use either temporary or permanent spots around street corners, gates of public buildings and motor parks.

### 6.3 Young Girls as Beggars

The procurement and use of young girls as child labourers in begging activities is a common practice in some societies. It is a common practice in Nigeria to see young girls, especially in the Northern part of Nigeria, actively engaged in begging. Young girls are encouraged by their parents and guardians, or caregivers to beg for alms. Some young girls are used as aid for adult beggars who were sick or pretended to be sick. Young girls work as beggars in Nigeria even on risky highways. Begging is not ordinarily considered as work and sometimes young girls work for organized group to obtain money from passers-by.

Young girls involved in child begging are exposed to assault, sexual exploitation and health issues due to bad weather. Child begging is prominent in the northern parts of Nigeria where the Koranic system of education known as *Almajiranci* or *Almajirai* is common practice. In the religious education system, pupils are encouraged to beg for sustenance and have been exposed to unwholesome behaviour. Odukoya<sup>14</sup> insists that *almajiri* street begging is not a “product of Islamic religion” but as a result of financial needs. “The *almajiri* were children put in the care of *ulamas* for purposes of obtaining Koranic education, and with no other way to provide for their welfare, the *ulamas* used them as farm labour and child beggars in order to provide for the upkeep of both the

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<sup>11</sup> A O Odukoya, ‘Child Labor in Nigeria: Historical Perspective’ In: *Hindman, D. H. & Hindman H. (eds), 2009.*

<sup>12</sup> S B A Oloko, “Child Work and Child Labour in Nigeria: Communities and Transformation.” *Inaugural Lecture Series,* University of Lagos, 16 April, 2003.

<sup>13</sup> *Ibid*

<sup>14</sup> Odukoya (n-11).

ulamas and the young girls”. However, Nigeria National Child Labour Survey<sup>15</sup> discloses that child begging is not restricted to the Koranic system of education as southern cities have a number of child beggars. The Child Rights Act prohibits the use of young girls and boys for begging, commercial sexual exploitation, and armed trafficking.

#### 6.4 Young Girls in Trafficking

Child trafficking involves the act of transporting children away from the communities in which they live mainly through deception, coercion, violence, or threat of use of violence to exploit these children as forced or enslaved workers for labour or sex.

Child trafficking laws emphasize that the act of transporting young girls and boys into exploitative work is what constitutes trafficking. The sale and purchase of young girls for commercial sexual exploitation or forced labour across national boundaries has become rampant in recent years. With no contact to their parents/ guardians or relatives, these young girls are now at the mercy of their employers. This increases their vulnerability to all other forms of abuse and exploitation.

#### 6.5 Young girls as Domestic servants

This category of child labourers includes maids/ servants and other forms of house help. These young girls are usually contracted from the rural areas and are supplied to households in the urban areas. They are often separated from parents at a vulnerable age when parental guidance and care is needed. Some of these young girls have parents who willingly hire them out as domestic servants, not minding whatever fate befalls them. Conversely, some of these young girls are orphans. Others are abandoned street young girls. Young domestics in private households constitute a prevalent form of child labour in Nigeria<sup>16</sup>. Young girls work as domestics in urban areas located throughout the country. It is a common practice in all parts of Nigeria.

According to Odukoya,<sup>17</sup>historically, domestic servitude predated colonialism and urbanization. Urbanization and increasing employment opportunities for women in both the public and private sectors, especially after independence, led to increased demand for domestic help. Young girls were taken from villages to the cities to serve as domestic servants in return for opportunities for education and sometimes to acquire occupational skills. The commoditization, commercialization, and marketization of household help resulted in the development of trafficking of young girls.

Young girls for domestic servitude are taken from several states across Nigeria. Some have come in from nearby countries like Togo and Benin. These Young girls are exploited economically and have inadequate rest. The study conducted<sup>18</sup> earlier placed the number of young girls that work as domestics at 40,000. The survey reveals that young girls from the ages of 10 and mostly between 13 and 16 years serve as domestic servants. Three-quarters of young domestic servants employed in households in the survey were between 12 to 17 years old, while the remaining one-quarter was 18 years old.

<sup>15</sup> Federal Office of Statistics of Nigeria (FOS), ‘National Modular Child Labour Survey Country Report’, Nigeria 2000/2001. Doi <[http://www.ilo.org/ipecc/Childlabourstatistics\\_SIMPOC/Questionnairesurveys\\_andrepo\\_rts/lang--en/index.htm](http://www.ilo.org/ipecc/Childlabourstatistics_SIMPOC/Questionnairesurveys_andrepo_rts/lang--en/index.htm)> accessed on 25 December 2023.

<sup>16</sup> S E Ekong, ‘Nigerian Policy on Child Labour: An Evaluation of the Education Sector Preparedness for Effective Policy Implementation’, *Walden Dissertations and Doctoral Studies Collection*, p. 36, doi:<<https://scholarworks.waldenu.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=2989&context=dissertations>> accessed on 15 December 2023.

<sup>17</sup> Odukoya (n-7).

<sup>18</sup> Ezeonyeasi (n-2).

According to Ibanga,<sup>19</sup> it is difficult to ascertain the extent of young girls' involvement in domestic services, as it "appears to be the largest commercial market for children's labour in Nigeria because of the hidden nature of this type of work". Parents regard child domestic service as means of income and sustenance for the family and as having a better promise of brighter future for working young girls, especially those working in urban setting. It is a cheap source of labour for families in urban setting. Young girls involved in domestic services sometimes experience physical and mental harm and are affected with long term consequences.

### **6.6 Girl Child Prostitution**

Child prostitution is another dimension of the child labour phenomenon. In most cultures, child prostitution is socially and morally reprehensible. Commercial Sexual Exploitation of Children (CSEC), as defined in the ILO Convention<sup>20</sup>, includes the use, procuring, or offering of a child for the purpose of prostitution or all other allied purposes as the production of pornography or more so for pornographic performances. The ILO estimated that children in slavery, trafficking, debt bondage, and other forms of forced labour; as well as those in forced recruitment for armed conflict, prostitution, pornography, and other illicit activities number about 8.4 million. The FOS/ILO/SIMPOC<sup>21</sup> conducted a modular survey in Nigeria and found child prostitution as a prevalent form of child labour, especially in Nigeria.

### **6.7 Bonded Child Labour/ Serfdom**

One of the worst forms of child labour in existence is bonded child labour. Under this practice, a child is given out to work as a slave until the debt owed by the parents or grandparents is repaid. The child has no say in the matter; hence, he/she has been bonded. Bonded labour and bonded child labour exist in varying degrees in Pakistan, India, and Nepal. In India, these young girls are known as *Payjolis and Kuthias*. They are in essence slaves to these landowners and/or carpet loom masters.<sup>22</sup>

### **6.8 Other Forms of Child Labour**

There are many other forms of child labour as young girls are ready to do just "any work" to achieve their needs. Some earlier forms of child labour like pawns and bonded labour may still be in practice away from the public notice. Work carried out in apprenticeship shops in cottage industries represents a form of traditional apprenticeship system. Child poverty puts young girls out in an unhealthy environment. Child scavengers work with bare hands and feet on garbage heaps and are thereby exposed to risk of injury from sharp objects. There are a number of young bus conductors called "agbero" in the transport industry in Nigeria.

Scavenging is another type of child labour. Young, vulnerable girls and boys scouring through mountains of refuse heaps in major urban centers of Nigeria is a common sight. These children engage in this actually without wearing safety boots. They are, therefore, exposed to sharp objects in these refuse heaps. Scavenging poses physical, psychological, and moral hazards to young girls around the globe. In such a compost-pit-like environment, different forms of gaseous emissions occur. Inhaling these dangerous gases in high concentrations, like methane, result in debilitating health conditions. All these forms of child labor fall within the category of hazardous worst forms of child labour according to the ILO conventions and the Child's Rights Act of Nigeria.<sup>23</sup>

Child labour has many serious danger and disadvantages on young girl's life. The challenges include:

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<sup>19</sup> F I Ibanga, "Child Labour in Nigeria: A Religious Educational Response" (PhD Dissertation, Department of Law, University of New York, USA (2007).

<sup>20</sup> ILO (n-6).

<sup>21</sup> FOS (n-17).

<sup>22</sup> Ekong (n-15).

<sup>23</sup> ILO (n-6).

- a. It can lead to extreme physical and mental harm and put the child through some severe emotional difficulties, which can lead even to death.
- b. Child labour refrains children from schooling and health care, restricting their fundamental rights and threatening their futures.
- c. Victims of child labour usually suffer from depression like smoking, alcoholism, or drug abuse.
- d. It can lead to slavery, sexual or economic exploitation.

## **7.0 Conclusion**

The Girl Child in Nigeria is subjected to the worst forms of child labour. The International Labour Organization recently stated that no fewer than 15 million children are engaged in child labour in Nigeria.

Why should the girl child be subjected to back breaking work, when she should be in school equipped with all the tools to achieve her fullest potentials, to shape a peaceful and prosperous future for all? Why have the conditions which make it possible for forced labour to thrive in parts of Nigeria remained in place with painfully little done to check them?

In 2022, Nigeria made moderate advancement in efforts to eliminate the worst form of child labour. Five additional Nigerian governors signed the Child's Right Act, which provides free and compulsory education for children and prohibits the use of children in activities. The government adopted a new national action plan on human trafficking and conducted a national child labour survey in order to better reform child labour policies. The government validated the National Policy on Child Labour and the National Action Plan for the Elimination of Child Labour (2021-2025). The Minister of Labour and Employment also created a new programme to provide vulnerable household with seed capital to fund new business in area with high rates of child labour.

Nigeria has ratified all key international conventions such as Convention on the Rights of the Child (1989); Worst Forms of Child Labour Convention, 1998, which also has some of its provision reflected in the child's Right Act of Nigeria. ILO Convention on Violence and Harassment. To date Nigeria has ratified 42 conventions which 26 are in force. ILO International Conference on child labour held in Norway in 1997; Hague Global Child Labour Conference in 2016, aimed towards a world without child labour; The Brazil global Conference 2013.

However, children in Nigeria are subjected to the worst form of child labour, including commercial sexual exploitation, sale and trafficking of children, debt bondage and serfdom. This study therefore recommends that States should ratify the Child's Rights Act into laws and set up programs to measure the implementation/enforcement of the rights to protect the girl child from all forms of child labour.