

REINVENTING THE ALMAJIRI EDUCATIONAL SYSTEM TOWARDS THE REALISATION OF CHILD'S RIGHTS IN NIGERIA*

Abstract

This work examines the Almajiri System of education as presently practiced placing same against child rights in Nigeria. It is discovered that the Nigerian Policy on Education, the Child Rights Act and the Africa Charter on Human and Peoples' Rights have ample provisions for the educational needs of the child who is aimed at being a worthy competitor at the global stage. However, Almajiri system has totally deviated from the objectives of the system. This has been blamed on the activities of the colonial masters who disregarded the system and its products. Arising therefrom, the then colonial government withdrew public sponsorship of the system. Begging for alms was institutionalized as a source of funding; several other vices crept in to take over the system. Successive governments over years have made several attempts at Reinventing the System. It is said that these attempts have failed due to some reasons; chief amongst them is the opposition from the operators of the system and the lack of will on the side of government various reforms in the system. This researcher is of the view that it is only when the educational system is reinvented to align with the Nigerian policy on education which has human rights of the child at the centre, the rights of the Almajiri will continue to elude them.

Keywords: Reinventing, Educational System, Realisation and Child Rights

1. Introduction

Brain Orchard states that 'After all, when we are no longer here, the World will belong to them, our children are the next government and we are passing on a legacy to them whether for good or for ill. We must give careful consideration, therefore, to the quality of that legacy – how we raise our children and values we instill in them'. This quote above has reemphasised children as equilibrium in human existence. Children are the cornerstone of every society, the future of our societies. The United Nations has fixed a day specially to celebrate children, in Nigeria it is 27th day of May of every year. In India for instance, the day is celebrated on 14th November across the country¹. Pandit Jawaharlal Nehru whose birthday is celebrated as children's day once said: 'The children of today will make the India of tomorrow. The way we bring them up will determine the future of the country'². The Federal Government of Nigeria has prioritize child rights and education³. Education at the age of 6 – 15 is compulsory, it lasts for nine years comprising of six years in the primary school and three in the Junior Secondary School⁴. The *Almajiri* Educational System simpliciter is a deviation from this goal. Though built on the main thrust of a comprehensive upbringing of a Muslim, it has since derailed right from the colonial days when the system lost public funding. The primary objective of the system was/is to provide Quoranic education to its students. The system thrives on voluntary decision of parents or guardians who give the children or wards to familiarize with the teaching of the Quoran⁵. The *Almajiri* pupil is reduced to a pauper, begging for alms and vulnerable to easy exploitation not only by criminal elements in society, but by the Mallams themselves who hold them in trust for parents. There is therefore a need to reprogram this system of education to meet the global best practices for child upbringing.

2. History and Practice of Almajiri System of Education

According to Sunday Edinyang et al, the term *Almajiri* is a derivative from the Arabic word '*Al-mujahirum*' meaning an immigrant. It is a system of non-formal education where a pupil seeking Islamic knowledge relocates to a teacher knowledgeable in Islam called the Mallam⁶. To Aghedo and Ike the word '*Almajiri*' is an adulterated spelling of Arabic word '*armujahiru*' referring to a person who migrates for purposes of learning or the sake of propagating Islamic knowledge⁷. The *Almajiri* Educational System is said to have begun around the 11th century in Kanem-Bornu and was later replicated in the Sokoto caliphate after the establishment of the Sokoto caliphate following the Othman Dan-fodio Jihad of 1754 – 1817. According to Shittu, the *Almajiri* scheme enjoyed funding from the empires of Borno and the caliphate in Sokoto. The scheme was also supported by stake holders, example, the community, the parents and the pupils themselves. The products of the system became Imams, preachers and formed the crop of elites that manned various organs and parastatals of the government in the pre-colonial times in northern Nigeria⁸. Shittu opines that the system went into a near collapse with colonialism as the British refused to fund the system. Instead of the *Almajiri* system, the British colonizers introduced the western system of education which they promoted and funded. To make ends meet, both teachers and the learners now turned to begging which has become the base of the *Almajiri* system today⁹.

3. Almajiri Educational System

The system also called Tsangaya was structured into three main categories viz: the Kolaye, the Titibiri and the Gardi.

*By Vanen Lawrence AN TOM, LLB (Hons), LLM, PhD, BL, Senior Lecturer, Faculty of Law, Nigeria Police Academy, Wudil, Kano;

*John OGOUNO, LLB, LLM, BL, Lecturer, Faculty of Law, Nigeria Police Academy, Wudil, Kano; and

*Abubakar FARROQUE, LLB (Hons), LLM, BL, Lecturer, Faculty of Law, Nigeria Police Academy, Wudil, Kano.

¹Brain Orchard: 'Our Legal for the future' available at www.vision.org/children accessed 12/10/2023.

²'The Children of today will make the India of tomorrow' available at www.m.tribuneindia.com accessed 28/3/2023.

³The Government has enacted several Laws including the Child Rights Act, 2003, The Nigerian Policy on Education.

⁴Doris DokuaSasu 'Education in Nigeria – statistics and facts' available at www.statista.com/topics/ accessed 4/11/2023.

⁵NasirAminu: 'Addressing the plight of the Almajiri System' available at www.trustradio.com.ng/addressing.theplight accessed 28/10/2023.

⁶Sunday David Edinyang and Maxwell Richard Bassey and Doris Emmanuel Ushie: 'Almajiri System of Education and the Religious Extremists in Nigeria' available at www.orchmanu.org accessed 23/11/2023.

⁷Iro Aghedo and Suroloola James Eke: 'From alms to arms; The Almajiri Phenomenon and Internal Security in Northern Nigeria' *The Korean Journal of Policy Studies* Vol. 28 No. 3 (2013) P. 100.

⁸Abdulazeez Balongun Shitta and Musa AdeyemiOlaote; 'Situations of the Almajiri System of Education in contemporary Nigeria; matters arising' available at www.researchgate.net/publication.accessed 20/11/2023.

⁹Ibid.

The Kolaye

This spans from the pre-school age of 2 – 4 years up to the primary school age of 11 years. This school is organised within the community level as the pupils are too fragile to be removed from the family members. At age 8 they are eligible candidates for proper enrolment into the *Almajiri* or Tsangaya School. This group is given some domestic chores and sometimes begs for alms to raise funds to support the system. In fact they are the ones that wear the ugly face of *Almajiri* system today¹⁰.

The Titibiri and Gardi

These are children of adolescent age, their ages are put at between 12 – 18 years¹¹ or between 16 – 21 years who lead the Kolo in street begging¹². The Gardi are young adults and with some members of the titibiri engage in more demanding jobs in the community which they combine it with the study¹³. The curriculum is structured in such a manner that it begins with learning the Arabic alphabet and in states like Kano, the curriculum has been domesticated in the local language with visual equivalent to make it easier for the learners to understand. The second part of the curriculum is the '*farfaru*' which is the word formation where the pupil begins to study the Quoran. The third stage is the '*zube*' which is the studying of the quoran proper until he graduate where he will be issued a certificate¹⁴. According Mohammed and Yusuf, the conquest of the Emirates, Empires and Chiefdom's of Northern Nigeria by the British was the turning point in the *Almajiri* system of education. The British withdrew the funding of the *Almajiri* system while scholars of the system were regarded as illiterates¹⁵. The loss of support to the *Almajiri* system led to its collapse. The pupils turned to begging to sustain the system. Some of the Mallams began to impose '*Kudin Sati*' a weekly levy on the pupils who must work hard to pay¹⁶. This is the genesis of the character of the present day *Almajiri* Educational System.

4. The Nigeria Educational System

The Nigeria Educational System is based on the philosophy that is founded on the ideals of unity and harmony as one indivisible, indissoluble democratic and sovereign nation based on the principles of freedom, equality and justice of the right type of values and attitudes for the survival of the individual and the Nigerian society¹⁷. The main goal of the Educational System is to use education as a national instrument for national development, the formulation of ideas; their integration for national development and their interaction of persons are all classified as aspects of education. Every child shall have the right to equal educational opportunities irrespective of the real or imagined disabilities each according to his or her disability¹⁸. The drafters of the policy have used the word 'Shall' which more often than not connotes mandatoriness. See *Seplat Pet. Dev. v. Britania U. Nig. Ltd*¹⁹ it was held, the word shall generally has come to command mandatoriness except in few cases where the court in doing substantial justice interpret 'shall' as permissive. The policy classifies education into primary secondary and tertiary education²⁰ with the Nigerian child as the center of the policy. The first is the Early childhood/preprimary education prior to their entering the primary school, it includes, the crèche, the Nursery and the Kindergarten²¹. The purpose of the preprimary education shall be to:-

- a. Effect smooth transition from home to the school;-
- b. Prepare the child for primary level of education;
- c. Provides, adequate care and supervision for the children while their parents are at work (on the farms, in the markets, offices, etc.);
- d. Inculcate social norms
- e. Inculcate in the child the spirit of enquiry and creativity through the exploration of nature, the environment, art, music and playing with toys, etc.;
- f. Learn good habits, especially good health habits; and
- g. Teach the rudiments of numbers, letters, colors, shapes, forms,, etc. through play²².

The second is basic education which is a 9 year duration comprising, six (6) years of primary, education and 3 years of junior secondary education, it shall be free and compulsory²³. Also the specific goals of basic education shall be the same as the goals of the levels of education to which it applies²⁴. The junior secondary school shall be both prevocational and academic. It shall be tuition free, universal and compulsory. The secondary education which succeeds primary education is aimed at preparing the individual for useful living with the society and a foundation for higher education²⁵ the tertiary education in universities, colleges of education, polytechnics, monotechnics including those offering correspondence courses. The goals of tertiary education shall be to contribute to national development through high level manpower training amongst many others²⁶

¹⁰Odumosu et al: 'Manifestations of the Almajiri in Nigeria Causes and Consequences' A Research Report of The Nigerian Institute of Social and Economic Research (NSER) Ibadan Nigeria. January, 2013 available at www.code.nna.edu>publications accessed 20/8/2023.

¹¹Ibid.

¹²Isiaka, Tajudeen Onitada: 'A Pilot Study of the Challenges of Infusing Almajiri Educational System Into the Universal Basic Education Programe in Sokoto, Nigeria', available at www.fues.eric.ed.gov>fulltext accessed 8/11/2023.

¹³Odumosu Op Cit.

¹⁴Ibid.

¹⁵Isa Mohamed and Danjuma Yusuf: 'Almajiri Educational System; Origin Dynamics and challenges' available at www.researchgate.net>publications>34.

¹⁶Sunday David Ediyang Op cit.

¹⁷Section 1 (2) and (4) of the Nigerian Policy on Education, 2004.

¹⁸See the Philosophy and Goals of Education in the National Policy on Education, 2004.

¹⁹(2015) 7 KLR (pt. 369) 2643.

²⁰See Section 2, 5 and 6 of the Nigeria Policy on Education, 2004.

²¹Section 2(11) of the Nigeria Policy on Education, 2004.

²²Section 2 (13) Ibid.

²³Section 3 (15) Ibid.

²⁴Section 3 (16) Ibid.

²⁵Section 5 (21) Ibid.

²⁶Section 8 Ibid.

5. Legal Regime on Child's Rights in Nigeria

There is a robust legal regime on child rights and protection spanning both civil and criminal laws. The child rights Act, the criminal and penal codes as well as other legislations have provisions that govern the protection of child rights. The African Charter on Human and people's Rights was domesticated in Nigeria pursuant to the powers of the National Assembly to implement treaties²⁷. The charter encapsulates the rights of the people including children. The African charter defines the child as a human being below the age of 18years²⁸. It provides that every child shall be entitled to the enjoyment of the rights and freedom recognized and guaranteed in the charter irrespective of the child's or his/her parent, or legal guardian, race, ethnic group colour, sex, language, religion, political or other opinion, national and social origin, birth or social status²⁹.

The interest of the child shall be permanent so any actions concerning the child undertaken by any person or authority, the best interest of the child shall be primary consideration³⁰. The right to life of the African child has been guaranteed as the charter is to the effect that every child has inherent right to life, the right shall be protected by law. States parties are enjoined to ensure to the maximum extent possible, the survival, protection and development of the child³¹.

The Right to education of the child is central, the Charter eloquently provides that³²:

- Every child shall have the right to education;
- The education of the child shall be directed to;
 - a. Promotion of and development of the Childs' personality talents and physical abilities to their fullest potential
 - b. Fostering respect for human rights reference to those set out in the provision of various African instruments on human and peoples' rights and international Human declarations and conventions
 - c. The preservations and strengthening of positive African morals, traditional values and culture
 - d. The preparation of the child for responsible life in free society, in spirit of understanding, tolerance, dialogue, mutual respect and friendship among all peoples, ethnic, tribal and religious groups.

The charter also provides for child's leisure and enjoins all state parties to recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate in cultural life and arts³³.

Child labour and economic exploitation of the child is prohibited, every child is therefore protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's physical, mutual, spiritual, moral, or social development³⁴. Protection of the child against abuse is key to the provisions of the charter, state parties are enjoined to take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, in human or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual or school authority or any other person who has the care of the child. Now therefore, Nigeria as a party has enacted several legislation that provide for child rights and protection, the principal legislation is the Child Rights Act.³⁵ The Act, provides for freedom of movement³⁶ though subject to parental control which is not to be harmful to the child. The child is also entitled to rest and leisure and to engage in play, sports and recreational activities appropriate to his age and health status and to participate fully in cultural activities of Nigeria, Africa and world communities³⁷

In order to curb the social vices of street hawking begging and other menial jobs by children, the Child Rights Act, particularly prohibits child labour

It provides eloquently thus³⁸

- Subject to this Act, no child shall be;
 - a. Subjected to any forced or exploitative labour;
 - b. Employed to work in any capacity except where by a member of his family or light work of an agriculture approved by the commissioner;
 - c. Required, in any case, to lift, carry or move anything too heavy as to be likely to adversely affect his physical, mental, spiritual, moral or social development; or
 - d. Employed as a domestic help outside his/herown home or family environment.

On the health status of the child, the Act, provides that every child is entitled to the best attainable state of physical, mental, spiritual health and immunization for the children under the age of 2, also every child is entitled to basic education explained in the Act, to mean primary and junior secondary school³⁹ the Act provides for dignity of the person of the child as such, he shall not be subject of abuse, emotional injury, neglect or maltreatment, including sexual harrassment⁴⁰. No person shall have sexual intercourse with a child or any other sexual related offence. An offender under this law is liable upon conviction for

²⁷Section 12 (3) of the Constitution of the Federal Republic of Nigeria 1999. Pursuant thereto the African Charter was incorporated into Nigeria via The African Charter on the Human and Peoples' Rights (Ratification Enforcement) Act, 2 1983.

²⁸Article 2 African Charter on Human and peoples rights OAU CAB/LEG/67/3 rev. 3,2, LLM 58 entered with force, October, 21 1986.

²⁹Ibid Article 3.

³⁰Ibid Article 4.

³¹Ibid Article 5.

³²Ibid Article 11.

³³Ibid Article 12.

³⁴Ibid Article 15.

³⁵Child Rights Act, 2003.

³⁶Ibid Section 9.

³⁷Ibid Section 12.

³⁸Ibid Section 28(1) and (2).

³⁹Ibid Section 15 (2).

⁴⁰Ibid Section 11.

life or 14 years imprisonment⁴¹ The constitution provides for the fundamental Human Rights⁴². The Child Rights Act provides for the Application and enforcement of these rights as can be enjoyed by every Nigrian⁴³. The criminal statutes have divested the child under 7 years of criminal responsibility for any act of omission a child is considered incapable of committing any crime in the eyes of the law⁴⁴it provides: ‘A person under the age of 12 years is not criminally responsible for an act or omission, unless it is proved that at the time of doing the act or making the omission, he had capacity to know that he ought not to do the act or make the omission’.

The Labour Act forbids the employment of a child in any capacity except where he is employed by a family member on a light work for agricultural, horticultural or domestic work as may be approved by the member of labour or required in any case to carry, more or lift any object so heavy as to be likely to injure his physical development. No person under the age of 16 shall be employed against the wish of his parents or guardians. Also such person shall not be employed in a work that will require him or her to return at night to his dwelling place⁴⁵. The Act has provided for specialized unit of the police known as the children and juvenile police unit. Its duty is to enforce children’s rights⁴⁶.

6. Analysis of the Practice of *Almajiri* Educational System and Child’s Rights

According to Shiltu and Olaofe, the practice of *Almajiri* system today is faced with myriads of challenges with glaring abnormalities. Since government withdrawal of public funding of the system, the proprietors and pupils of *Makaranta olo* were to as refer to ‘whom it may concern’⁴⁷. It is discovered that 6 out of 10 *Almajiri* pupils never find their way back home, many lose their lives through street violence, ritual killing, kidnapping, disease and hunger. Those able to survive the harsh condition they are subjected to spend in the hairs of learning on streets finding food for survival⁴⁸.

According to Mohammed and Yusuf, the system exposes students to social ills and social exploitation which is very dangerous to the society. It has seemingly legitimized begging which is forbidden in Islam. The pupils are made to pay ‘*kudin sati*’ a weekly levy imposed by the Mallams. This is to enable the functioning of the system⁴⁹. Odumosu in his study is of the view that the Tsangaya system overtime has deteriorated in standards leading to *Almajiri* phenomenon becoming a problem. The *Almajiri* is synonymous to begging⁵⁰. Instead of the children supposedly sent to Tsangaya for learning by their parents doing what they are expected to, they are made to engage in unnecessary activities which turn them into societal misfits. Western education is the epitome of increasingly globalized standards of ‘modern childhood’.

Universally, there have been pronouncements and declarations on the need to have all children educated, as reflected in the Education for All (EFA) goals. Also the Millennium Development Goals (MDGs) focuses on educating all children. Nigeria is a signatory to these declarations. The attainment of these goals is likely to remain a mirage if adequate attention is not paid to the issue of the *almajirai*. Some of the limiting factors why parents/guardians may be unable to send their wards to formal schools include the lack of cost-free formal education as well as the unacceptability of the quality and priorities of the formal education to the communities⁵¹. The Tsangaya system overtime has deteriorated in standards leading to the *Almajiri* phenomenon becoming an embarrassment. Though originating from the term ‘*Hijra*’ referring to Prophet Mohammad migration from Mecca to Medina, and initially reflective of the movement of the Tsangaya students in search of knowledge, the term today has become synonymous with begging. Many of the students within the Tsangaya system on moving to cities start to beg for survival. These children then become vulnerable to city crimes and other hazards of being on the streets of a big city. The changing socio-economic conditions have increased these vulnerabilities. Customarily, the Tsangaya pupils on coming to the cities were given shelter and food by city people and this was seen as a sign of respect. The growing economic pressures have led to withdrawal of this support mechanism with the result that begging has become the main survival strategy for many of the Tsangaya schools in the urban areas⁵².

The *Almajiri* phenomenon has been a source of embarrassment, not only to northern leaders but to the country as a whole. The *Almajiri* trend is quite alarming because it has been observed that it has taken a different dimension compared to the original concept behind the practice. Instead of the children supposedly sent to tsangaya for learning by their parents doing what they are expected to, they are made to engage in unnecessary activities which carefully mould them into societal misfits. The absence of formal education, career counseling, and parental care, which are being replaced by harsh living conditions and constant flogging during the meager lesson periods, end up turning these children into aggressive and violent young adults with obvious hate for the larger society. Social psychologists for instance, have argued that when a child is exposed to labour at a tender age and deprived of basic necessities and love, the entire psyche of that child is affected⁵³.

⁴¹Ibid Sections 31 and 32.

⁴²Chapter 4 of the Constitution of the Federal Republic of Nigeria 1999 as amended.

⁴³Section 3 of the Child Rights Act, 2003.

⁴⁴Section 30 of the Criminal Code, Cap C8 Law of the Federation, 2004.

⁴⁵Section 22 Child Rights Act, 2003.

⁴⁶Abdulazeez Balogun Shittu and Musa Adeyemi Olaofe: ‘Situations of the *Almajiri* System of the Education in Contemporary Nigeria matters arising’ available at www.researchgate.net-publications accessed 21/11/2023.

⁴⁷Ibid: They quoted M Sagir ‘*Almajiri* Tsangaya Foundation’ available at <http://almajiritsangayafoundation.gubi.com.ng/Alm>.

⁴⁸Isa Mohammed and Danjuma Yusuf: ‘The *Almajiri* Educational System; Origin, Dynamics and Challenges’ available at www.researchgate.net-publication.

⁴⁹Of Odumosu et al.

⁵⁰Ibid.

⁵¹O.F. Odumosu et al; ‘Manifestations of the *Almajiri* in Nigeria causes and consequences; A Research Report of Nigerian Institute of Social and Economic Research (NISER) Ibadan, Nigeria, 2013’ available at www.academia.edu>MANIFESTATION (last accessed 20/08/2023).

⁵²Ibid.

⁵³Ibid.

In almost all the riots with religious and ethnic coloration in Nigeria, accusing fingers had always pointed at the 'Almajiri' as easily available tools. Newspapers such as *The Vanguard* inevitably paint the Almajiri as a source of destruction, as for example indicated in one of their reports which states:

One of the unfortunate features of most Nigerian towns is the existence of an army of unemployed youths, but that comparison ends there. More than anywhere else, the Northern 'almajirai' are experts in political rampage, looting of houses and shops, burning of properties slaughtering of innocent souls. For a fee of about N100 or N150 per head, the dare devil rioters are prepared to risk their lives to please their sponsors⁵⁴.

Some analysts paint them as 'terrorists' or 'militants', or tinderbox disenchanting seasonal migrants ready to explode into violent riots. Or, as a northern Muslim woman, Bilkisu Yusuf perceives:

Boy children, almajirai, are left to roam the streets, exploited by their Malams, steeped in poverty and disease, spending more time trying to eke a living in urban areas. When they remain in their traditional Qur'anic school, they memorize the Qur'an without knowing neither its meaning nor how to apply it to their lives so that they can become good and productive Muslims. The reality is that we have only succeeded in producing an angry and hungry army of unemployed youths willing to be used as the cannon fodder for social unrest, riots, looting and arson.

*This is child abuse and goes against the tenets of Sharia*⁵⁵.

Worst still is the neglect of the ideals of Islamic support systems of social welfare in the predominantly Muslim states which has only left the peasant Muslims at the mercy of vagaries of poverty. The appropriate re-orientation for Muslims to re-adjust to the demands of education in the contemporary society is lacking in the Almajiri education system. Hence, while renewed demands become inherent in whatever education system (Qur'anic or Secular) Muslim children and youths were to pursue, refocused skills even in the context of the objectives and curriculum of their education system were not incorporated accordingly⁵⁶. Besides the fact that the practice creates a gap in the education system of Nigeria, the undue exposure of these promising children to the harsh living conditions at their tender age leaves much to be desired and a clear violation of their human rights. Socially, economically and politically speaking, it is a very dangerous situation in a nation, where ethnic rivalry, religious bigotry and political cynicism hold sway, to have close to 10 million illiterate children from poor and socially backward homes roaming the streets without any sense of hope for the future⁵⁷. The phenomenon of Almajiranci in Nigeria today is more of the product of abdication of societal and state responsibilities and the perpetration of an overly exploitative governance system that has incorporated and consumed even the majority of key stakeholders who are expected to be the custodians of the ideal Traditional Qur'anic Schools System.

Today the objectives of the system are so loosely pursued to the extent that the Mallam and the children have become very vulnerable to the negative effects of modernization and materialism. Therefore, some of the social implications of present practice of almajiranci include the institutionalization of beggary as a means of sustenance, as well as endemic child abuse, neglect and exploitation. Despite previous efforts to sanitize the almajiranci phenomenon, it becomes extremely difficult to eliminate the emergent obnoxious trends, especially as beliefs and attitudes about the true Islamic ideals of seeking for knowledge are misrepresented⁵⁸. As Odumosu noted, it is not surprising that the Mallams resort to exploiting and abusing the Almajirai as their sources of livelihood were only limited to charity, levies on the pupils, charges on spiritual healing, spiritual consultations and peasant farming. The pupils themselves largely rely on begging and labour as a means of sustenance. One Almajiri had this to say:

When it was time for dinner that day, my teacher gave me a small bowl and asked me to join a small army of other students in the school to go beg for food that we were to eat as dinner that night. We roamed the streets entering one house after another begging for food⁵⁹

Almajiris are also enlisted as domestic servants or porters to other people and engage in odd jobs that are perceived to be hazardous, detrimental to their health and exploitative of their basic rights to survival and development as captured eloquently under the Child Rights Act and the Labour Act. Neither are they protected from all forms of violence, discrimination, abuse or neglect by parents or guardians and exposure to moral danger. By implication they also become victims of deprivations of their rights to life, to human dignity, to health and access to healthcare services, to grow up within a family with care, love and affection, and to a safe or secured environment free from violence, exploitation and all forms of abuse. According to an Almajiri: 'I was able to get one house where I begged the house wife to be coming and be helping her with the day to day chores and in turn she would be giving me food so that I wouldn't have to be begging for food everyday⁶⁰'. Yusuf Ibrahim, an Almajiri who was taken from Malumfashi in Katsina State to Sokoto in Sokoto State, accused the society of being antagonistic to them. He says, 'No one wants to give you anything, you either have to wash plates, clothes or fetch water before they give you anything.⁶¹' The resultant consequence today is that the almajirai children are vulnerable to become victims of child trafficking, ritual killings and manipulation as they could easily fall prey to instigation for recruitment to commit acts of violence or terror or to serve as agents of destruction in times of civil disturbances, especially ethno-religious conflicts in Nigeria. Such trends, beyond the exploitation and abuse of children, include their vulnerability to kidnapping, trafficking and recruitment for criminal activities ravaging the country⁶².

⁵⁴ *The Vanguard Newspaper* of Monday 16th December, 2002, referred to in www.of.odumosu.com.

⁵⁵ *Weekly Trust Newspapers* Friday 13th December, 2002.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ *Ibid.*

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

⁶¹ *Ibid.*

⁶² See *Daily Trust Newspaper*, 21st November, 2009, *The Nation*, 13th November, 2009 and *Business Day* 13th January, 2010.

It has been asserted that ‘hungry and angry,’ the *Almajirai* can easily be mobilized to engage in looting and killings during ethno-religious clashes so as to pay back society⁶³. The ‘terrorist potential of having about ten million hungry and gullible children roaming aimlessly in Nigeria’s northern cities, from whom any fanatic, religious or otherwise, could readily recruit disciples for antisocial purposes, is immense’⁶⁴. A federal government-constituted Tribunal of Inquiry established that children aged 10-14 years, unaccompanied by their parents, were amongst Maitatsine’s followers. A key informant said: ‘Almajiris cannot be blamed for ‘carrying hostility and anger on their faces, as no one shows them affection but looks for an opportunity to use them for one purpose or the other before assisting them and many of them have never experienced parental care in their lives’⁶⁵. These findings are an indictment of the contemporary Islamic society and Islamic leaders of thought for abandoning the original societal process of wealth acquisition and humanistic distribution of available resources as prescribed by Islamic injunction. The condition of hungry and dirty looking almajirai children roaming about the streets and houses begging for food to eat is considered as pathetic⁶⁶. Recognition of the products of the system by both government and the society; and the absence of any decent jobs for these products after graduation; all constitute a cause of concern for the state of the Islamic educational system and a need for objectively addressing the situation.

7. How do we reinvent the system for better results?

The Guasau Institute has presented a bleak future of the *Almajiri* system. It says that over five decades, there have been numerous discussions, conferences and retreats, abundant studies and a number of direct government intervention to address the problem but with little success⁶⁷. The most recent interventions include the integration of the *Almajiri* system into the mainstream educational system, establishment of National Committee on Implementation of *Almajiri* Education Programme, the 157 Tsangaya boarding schools built by the Jonathan administration, the Northern Governors Forum total ban on *Almajiranci*, the current deportation of *Almajiris* to their states of origin during Covid-19 Pandemic among others⁶⁸. With what appears as a hopeless situation the government has not given up on the system. The Buhari administration in its twilight signed into law the *Almajiri* Commission to address the challenges of *Almajiri* and out school children⁶⁹. The objectives of the Commission are to formulate policy and issue guidelines in all matters relating to *Almajiri* education and out of school children in Nigeria as well as provide funds for research and personnel development for the improvement of *Almajiri* education in the country, the development of programmes on *Almajiri* education, construction of classrooms and other facilities relating to *Almajiri* education and out of school children.⁷⁰ The Commission is also empowered to monitor and evaluate activities of agencies concerned with *Almajiri* education; establish and manage primary schools for *Almajiri* and out of school children; collate, analyse and publish information relating to *Almajiri* and out of school children in Nigeria and also to determine standards and skills to be attained in *Almajiri* schools established by the commission and review such standards from time to time⁷¹. Laudable as the reasons behind the establishment of the commission and how flamboyant the objectives are couched, we may yet sing *uhuru* as the implementation may be faulty. One fundamental issue from this research that is worth nothing is the fact that what *Almajiri* educational system represents today is a good example of the violation of child rights. What is required now is the child rights implementation committee at each local government area in Nigeria. Their role will be to enforce the child rights. *Almajiri* it is recommended that non-governmental organizations and public spirited individuals should come under public interest litigation to ensure the realization of child rights by enforcing the child rights otherwise, there will be motion without movement.

8. Conclusion

This paper attempts to introduce enforcement of child rights as a panacea to the lingering abuse of child rights as it relates to the *Almajiri* system of education as practiced now in Nigeria. The establishment of the *Almajiri* commission is a welcome development, nevertheless, several attempts have been made and implementation committees have been set up without any meaningful result. It is recommended that child rights committees be put in place to enforce the abuse of child rights against handlers of *Almajiri* schools and negligent parents. Non-governmental organisations can come in through public interest litigation to assist in the realization of the rights of the *Almajiri* child.

⁶³ O.F. Odumosu et al *op cit*.

⁶⁴ *Ibid*.

⁶⁵ *Ibid* Quoted the Report of the Tribunal inquiry on Kano Disturbances (Maitatsine) in earlier Works of Anifoweso et al 2003.

⁶⁶ *Ibid*.

⁶⁷ The Guasau Institute and Ahmed Zakori & Co. ‘Rapporteur Report Interactive webinar themed ‘From Rhetoric to Concrete Action; Devising a Roadmap for Reforming the *Almajiri* System’ held on 28/6/2020 available at www.twitter.com>gusauinstitute>status accessed 20/11/23.

⁶⁸ *Ibid*.

⁶⁹ National Commission for *Almajiri* Education: ‘Bringing succor to out of school children’ available at www.dailytrust.com/nationalcommission accessed 23/11/2023.

⁷⁰ *Ibid*

⁷¹ *Ibid*.