

CHILD TRAFFICKING AND RELIGION: A CASE STUDY OF ALMAJIRI EDUCATION IN NORTHERN NIGERIA

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ABSTRACT

Children are trafficked in Nigeria for various purposes which include prostitution, begging, hawking, rituals, etc and this has been on the raise, thereby posing a great challenge to the Nigeria Government despite numerous efforts put in place to fight the menace. The feature of Nigerian children as young as 5 to 12 years is threatened by this monster called child trafficking. Although, poverty, greed, corruption, peer pressure have been traditionally identified as factors responsible for child trafficking in Nigeria, manipulation of religion through "Almajiri" (traditional way of acquiring Islamic knowledge) have also been identified as factor playing very significant role in child trafficking in Northern Nigeria which has 90 percent of its population as Muslims. The paper adopted doctrinal methodology where it analysed the relevant literature in the area both primary and secondary. The focus of this study is to examine the manipulation of religion through Almajiri education for child trafficking in Northern Nigeria and its consequence on the child. There is scarce of information on Almajiri system of education as a form of child trafficking in Northern Nigeria, but through an examination of the historical antecedents of Almajiri education, the study discovers that although the concept was meant to prepare a Muslim child to become a useful adult in the society, the practice have been abused over the years. The finding of the paper reveals that there is no law put in place which controls the practice of Almajiri Education in Northern Nigeria and therefore recommend that Nigeria Government should regulate the activities of these Islamic teachers by enacting a law that controls such practices.

1. Introduction

Child trafficking is an act of moving, transporting or recruiting a child from a familiar environment to an unfamiliar environment for exploitative gains. Many factors could be responsible for child trafficking in Northern Nigeria which include poverty, corruption greed, peer pressure, family size and break down and many other factors. The menace of child trafficking in Nigeria could be traced to 1980s when structural adjustment programm was introduced by the then government of Nigeria. Women and children were made bread winners of their family. Hence they were made to search for what they can sustain the family. Traffickers therefore took advantage of their vulnerability to lured them into trafficking despite the consequences of trafficking on the child. This menace continues to have its toll on the family. Furthermore, apart from poverty , greed, corruption and other factors which cause child trafficking in Northern Nigeria, manipulation of religion through "Almajiri" is also considered as one of the factors if not the most important factor which causes child trafficking in Northern Nigeria. This involve the movement of large numbers of pupils, often teenage males, by an Islamic teacher (*Malam*) from their hometown to somewhere far away from home and sometimes even unknown to the parents through "Almajiri" system of education. The pupils learn from the scholar as they move from one town to another. They are often inadequately prepared for such a journey. The *Malam* (Islamic teacher) is frequently too poor to sustain his family or the pupils entrusted to him. Consequently, both the *Malam* and his pupils often rely on the benevolence of the community in which they happen to be guests. In most instances, the *Malam* lives on the support of his pupils who beg or perform menial tasks for food sellers and shopkeepers in public places and motor parks all over Northern Nigeria.¹ The practice amount to trafficking because of the servitude and exploitation that goes with it. Furthermore, Trafficking in Person Prohibition Law Enforcement and Administration (NAPTIP) Act, a law enacted to coordinate and enforce all laws on Child trafficking in Nigeria did not cover this practice, thereby allowing it to continue unchecked.

The article will examine the concept of Almajiri system of Education in Northern Nigeria as a form of child trafficking, and its implication on the Nigerian child, and conclude with recommendation that a law should be enacted to control the application of this practice in Northern Nigeria so that the rights of the Nigeria child in Northern Nigerian could be protected while obtaining Islamic knowledge through the Almajiri system of education.

2. Definition of the key terms; Child, Child Trafficking, Almajiris, and Northern Nigeria

2:1 Definition of a Child

¹ Zachariah, Yakubu The Almajirci Lurch, and Disguised Forms of Human Trafficking in Northern Nigeria, (2004) at 3-8.

The word “child” has been defined specifically in both the local and international instruments dealing with the rights and welfare of the child. In Nigeria, a child is statutorily defined as a person under the age of 14 years, while a young person is a child above the age of 14 years but who has not attained the age of 18.² This age ceiling in Nigerian law is lower than the age standard in the relevant international instruments. A child under International Instrument is every human being below the age of 18 years.³ This definition has also been adopted by Nigeria Child Right Act,⁴ and NAPTIP Act⁵ The term child therefore in this article for all intend and purposes means a person below the age of 18.

2.2 Child Trafficking

The recognition of children’s rights, and the resulting obligations for States Parties on the right of children, provide a legal basis to combat child trafficking. Child trafficking is defined as a trade in human being for domestic, sexual, reproductive, labour and other purposes.⁶ It was also defined as the commercial trade “smuggling” of human beings, who are subjected to involuntary acts such as begging, sexual exploitation such as (prostitution and forced marriage) or unfree labour such as (unintentional servitude).⁷ Child trafficking could also be defined as a serious form of organised crime that involves the exploitation of people.⁸ In another work, child trafficking was defined as a means of illegal evacuation of people, or a trade in which women and or children are moved from one place to another as commodities or articles of trade for the purposes of exploitative labour or sex exploitation.⁹ Some writers also defined child trafficking as a trade in human being for domestic, sexual, reproductive, labour and other purposes.¹⁰ The act of child trafficking is usually done in secrecy and it is difficult to detect, hence the former President of the USA, George Bush had described child trafficking as another human crises hidden from human views which generates billions of dollars each year for its operators after drugs and gun running.¹¹

2.3 Almajiri

The word “*Almajiri*” was derived from the Arabic word “*Almuhajirun*” meaning an emigrant. The term *Almuhajirun* refers to the companions of the prophet Mohammad (peace be upon him) who migrated to the ancient city of Madina in Saudi Arabia due to persecution by idol worshipers in Macca. They left Mecca to Medina because He and his followers were prevented from practising Islam in Macca¹² In Northern Nigeria context, it usually refers to a person migrates from his hometown to another place or to a learned Islamic teacher to acquired Islamic knowledge.¹³ Under this arrangement, Muslims faithful are enjoins to seek knowledge from outside their home. Historically, it helps to empower children with Islamic knowledge. In recent years however, this practice is now been abused. This is because, these children are taking away by the Islamic tutors without adequate provision for their up keep. Some of the religious tutors (malams) take more pupils than they can care for and then the children are made to beg for survival. These children are seen going about the street begging, hawking and sometimes engage in an act that is injurious to their health as children.¹⁴

It is instructive to mention here that this type of situation where children are subjected to all form of exploitation and servitude amount to trafficking. Under this type of arrangement, where the child is transported and received by the tutors, and the parents were not aware of the situation that their children would find themselves in, can also be classified as a form of trafficking.¹⁵

2.4 Northern Nigeria

² See Ladan, M.T., “Rights of the Child in Nigeria: An Overview”, being a paper presented at a two-day workshop on Human Rights, 4th-5th August (1997). See also Section 2 of the Children and Young Persons Act Cap. 32 Laws of Nigeria and Lagos, 1958.

³ Article 2, Organization of African Union Charter on the Rights and Welfare of the Child, also According to Article 1 of the United Nations Convention on the Rights of the Child.

⁴ Section 62 of the Child Right Act, 2003.

⁵ Section 82 Trafficking in Person (Prohibition) Law Enforcement and Administration Act 2015 as amended. Also referred to as (NAPTIP Act) 2015.

⁶ Mallam Abubakar S.I in a report of a 2 days’ workshop/seminar for the establishment of Anti-human trafficking network in endemic local Government and communities. Theme “Partnering against human traffickers” held at Women Development Centre, Adamawa State on 16th-17th October, 2006.

⁷ Ibid.

⁸ Dija, Ibrahim. In a two days workshop/seminar for the establishment of Anti- human trafficking network in endemic local Government Areas and communities of Yobe State. Held at State Secretariat Conference Hall, Damaturu on 9th-10th November, 2006.

⁹ National Agency for the prohibition of trafficking in person and other related Matters (NAPTIP) Access to justice for trafficked person in Nigeria: A handbook for legal Actors and Assistance providers, Naptip, Abuja, Nigeria, 2009, at 6.

¹⁰ Mohammed, G. Ngada at a two days workshop organised by the National Agency for the prohibition of trafficking in persons and related matters held at Women Development centre Yola, Adamawa state on 16th -17th October, 2006.

¹¹ Ibid.

¹² Jungudo, Maryam M. and Ani Kelechi, John Mary (2014) “Justice and human rights violations; A study on Almajirici in northern Nigeria” in G. M. T. Emezue, Inge Kosch and Maurice Kangel (eds) justice and human dignity in Africa: Collection of essays in honour of professor Austin Chukwu, oxford: Africa Book collection, at 40-55.

¹³ Ibid.

¹⁴ National Agency for the prohibition of trafficking in person and other related Matters Act (NAPTIP) Access to justice for trafficked person in Nigeria: A handbook for legal Actors and Assistance providers, Naptip, Abuja, Nigeria, 2009, at 11.

¹⁵ Ibid.

Nigeria contains more historic cultures and empires than any other country in Africa.¹⁶ Nigeria is divided into two regions with six geo-political zones. The Southern Region and the Northern Region. The southern region is made up of the South East,¹⁷ South West¹⁸ and South South.¹⁹ While the Northern Region consists of the North east,²⁰ North West,²¹ and North Central²² with 90 percent of the Northern Nigeria habitants are Muslims.

The Northern Nigeria is an area rich in natural solid minerals and agricultural potential. It is home to around 60 per cent of the country's population. It covers nearly two-thirds of Nigeria's landmass –approximately 711,828 square kilometres and is twice the size of Germany. Until the first cycle of state creation in 1967, this area was officially designated the Northern Region, comprising of 19 out of the 36 states in Nigeria.²³

3. The Concept of Child Trafficking in Nigeria

Child trafficking has been defined to;

“Means the recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person or debt bondage for the purpose of placing or holding the person whether for or not involuntary servitude (domestic, sexual or reproductive) in forced or bonded labour, or in slavery-like conditions, the removal of organs or generally for exploitative purposes”²⁴

From the above definition, child trafficking could be envisaged as the transfer of persons by fraudulent or coercive means for exploitative purposes. Furthermore, in Nigeria, child trafficking often occurs with the consent of the parents and, sometimes, of the children themselves. One can therefore deduce that child trafficking include but not limited to the following.

1. Buying and selling of Children for purposes.
2. Trafficking in slaves or slave trading.
3. Kidnapping from guardian by force or entice of a person under the age of eighteen years of age or of many children out of the custody of the lawful guardian, without the consent of the lawful guardian.
4. Procuring a person for defilement by threat or by intimidation or by administration of drug or by pretence to have a carnal connection with a man or animal in Nigeria or outside Nigeria.
5. Unlawful detention with intent to defile or conspire with another person to induce or detain person under the age of 18 years old against such person's will to have carnal knowledge of the person.
6. Procurement of person for prostitution, pornography or for armed conflict or for trafficking in drugs.
7. Exportation of a person from Nigeria, person under the age of 18 years against the will of such person to perform assigned duties.

3:1 Child trafficking in Nigeria

The incident of child trafficking in Nigeria dates as far back as 1980s following the severe economic hardship caused by structural adjustment programmes,²⁵ imposed at the time by the Nigerian government. Al though, the significant public recognition and focus on the issue only came to light in the mid-90, there are no exact figures and data on the number of trafficked victims.²⁶ However, there are indicators to show that the trend is assuming an alarming rate in Nigeria. One of such indicators is the growing population of women and children particularly children in the city centers.²⁷ An International Labour Organisation (ILO) estimate shows that over twelve million Nigerian children are engaged in child labour, and that a large

¹⁶ Available on :<http://www.historyworld.net/wrldhis/PlainTextHistories.asp?historyid=ad41#ixzz3Pq97qzU3>. Accessed on 25/1/2015.

¹⁷ Ebonyi, Enugu, Imo, Abia and Anambra State.

¹⁸ Oyo, Ogun, Lagos, Ondo and Osun State.

¹⁹ Akwa-Ibom, Bayelsa, Edo, Cross River, Rivers and Delta State.

²⁰ Adamawa, Borno, Bauchi, Gombe, Taraba, and Yobe state respectively.

²¹ Jigawa, Kaduna, Kano, Katsina, Kebbi, and Sokoto State.

²² Benue, Kogi, Kwara, Nasarawa, Niger, and Plateau State.

²³ Based on the 2011 population projections by the National Bureau of Statistics, 91.5 million out of nearly 170 million Nigerians – the country's estimated population – reside in northern Nigeria. Since the national census of 2006, the population growth rate appears to have risen much more quickly there than in the south. In 2006, the split of the population between northern and southern states was 53.6 percent and 46.4 per cent respectively. National and State Population and Housing Tables: 2006 Census Priority Tables (Vol.1). b National Bureau of Statistics, Annual Abstract of Statistics, 2011.

²⁴ Section 82 NAPTIP Act 2015.

²⁵ A plan implemented by the World Bank and the International Monetary Fund (IMF) in a developing nation to try to get their economies to be more productive. The goal of such a program is to help the borrowing nation pay off its debts and have a growing economy that will sustain them into the future.

²⁶ Aronowitz, Alexis A. *Human Trafficking, Human Misery: The Global Trade in Human Beings*. (Santa Barbara, CA: Greenwood Publishing Group), 2009, at 213.

²⁷ Ibid

percentage of these children in labour are victims of trafficking.²⁸ Similarly, with regards to women and girls, a survey indicates that over 10,000 Nigerians engaged in prostitution in Italy constitute about 80% of all prostitutes in the sex trade in Italy.²⁹ Most of these Nigerian women and girls are initially trafficked victims. Nigeria is the second largest source of child trafficking victim to the U.S. With Akwa Ibom State has the highest rate of child trafficking in Nigeria.³⁰

Table of age distribution of rescued trafficked victims in 2013

Age range	Number	Percentage
0-17 years	602	61.3%
18-27 years	300	32.0%
28 and above	50	6.7%
Total	952	100.0%

From: Research and programme development Department.³¹

The above table indicates age distribution of all people that were rescued from traffickers in 2013. Although, there was a general decline in number of people that were rescued in the year under review, this is not the same with child trafficking. Out of 952 people that were rescued, 602 of them were children from the age range of 0-17 constituting about 61.3% of the whole number of people rescued in that year alone. This has further proved our earlier submission that children are the most trafficked group of people in Nigeria.

3:2 Causes of Child Trafficking In Northern Nigeria

The factors that facilitate child trafficking in Nigeria are extremely complex and inter-connected but can be divided into two, namely: the push and the pull factors.³² The push factors are those conditions conducive for trafficking of children which fall in the broader context. It usually drives people to leave a region in search for better life somewhere else.³³ The factors include but not limited to bad economic condition such as poverty; unemployment; broken homes; family size; greed; peer pressure; weak legal frame work; insecurity; restrictive immigration policies and law enforcement mechanisms are also contributors.³⁴

3.1.1 Poverty

Poverty is a major factor responsible for child trafficking in Nigeria. It cannot be denied that abject poverty, unpleasant economic environment, unemployment, massive retrenchments, under employment and poor quality of life has made parents who would otherwise, have been most caring and loving, to neglect and even some times, abuse their children. Some families are living from hand to mouth as a result of insufficient income to cater for their families. They are out of job or business either as a result of retirement or insufficiency of the income to settle the children school fees, rents and feeding. That is a perfect situation of parents and children to fall victim of bogus promises of a good time abroad with the prospect of earning foreign exchange that will convert into tons of naira (Nigerian currency) back home in Nigeria.³⁵ Although Nigeria has enormous natural and human resources as well as the largest oil producer in Africa and the eleventh largest in the world,³⁶ it is rated as one of the poorest countries in the world with a GDP per capita of about US \$1,000 for a population of over 160 Million.³⁷ With about two-third of its population living in rural areas without basic social amenities such as electricity, road, hospital, schools, good drinking water etc and earning less than \$1 per day³⁸. There is massive youth unemployment and a general lack of opportunities for economic

²⁸ Child Trafficking in West Africa: Policy Response, UNICEF, Innocent Insight Research Centre, April 2002.

²⁹ Statement by the Nigerian Ambassador to Italy, UNICEF, Innocenti Insight Research Centre, April 2002.

³⁰ Gary Foxcroft, "The Niger Delta Child Right Watch Project involves the NGOs: Stepping Stones Nigeria, Basic Right Counsel Initiative Centre for Environment, Human Right and Development" (2007) Available at gary@steppingstonesnigeria.org. Assessed on 26/2/2014.

³¹ Ibid.

³² UNODC, available at <https://www.unodc.org/unodc/en/frontpage/2014/July/unodc-marks-first-human-trafficking-day-with-call-for-countries-to-step-up-fight-against-this-crime.html?ref=fs1>, accessed on 10/12/2014.

³³ Ibid.

³⁴ Ibid.

³⁵ Monica, Imam "Human trafficking and HIV/AIDS" a paper presented at a 5 days sensitization/ awareness campaign in Five local government areas of Taraba state on 3rd-7th April (2006), at 2.

³⁶ Available at <http://www.cia.gov/cia/publications/factbook/rankorder/2173rank.html> accessed on 29/11/2014.

³⁷ Available at <http://www.cia.gov/cia/publications/factbook/geos/ni.html> accessed on 11/11/2014.

³⁸ S. Abdulrahman and Oladipo A. R., "Trafficking in Nigeria: A hidden health and social problem in Nigeria" International Journal of sociology and Anthropology, (2010), Vol. 2 No. 3 at. 35.

ventures, low standards of living and devalued local currencies; these results in the failure to meet the health, food, housing and security needs of the people.

It has been observed that population living in political and economic instability often seek to migrate elsewhere in search of better opportunities. The destination of that migration is usually into bigger cities.³⁹ The rural areas of Nigeria, where the bulk of the population resides, are not industrialized and characterized with lack of electricity, access road, hospitals and insecurity caused by Boko haram Islamic sect among others. There are few job opportunities or institutions of higher learning. Consequently, even when the children do receive some education up to secondary school, there are no jobs at the end of their schooling nor additional institutions for them to attend. The economic situation is such that most parents are unable to care and properly feed their families. Parents subject their children to various forms of labour, including trafficking for economic gains.⁴⁰ It is also submitted that, poverty has a hand in child prostitution and sexual abuse.

In Nigeria⁴¹ it can't be denied that some female children that are engaged in child labour such as hawking, domestic servant are sexually abused. The women unit of the Federal Ministry of Education portrayed the situation, thus, a report in the magazine 'Ladies Home Journal' estimates that sexual abuse of young girls is four times commoner than rape of adult women. The abuser is likely to persuade and pressurize the child, using all built-in authority of an older person. Children who hawk wares for their parents fall easy victims. They are coerced or bought with gifts. They are thereby prevented from telling their parents or even close friends about the incident. When parents are financially incapacitated to provide the basic necessities of life such as a comfortable house, food, clothes and sound education for their children, the children are sent into the labour market.⁴²

3.1.2 Illiteracy

Illiteracy generally tend to increase individual vulnerability to child trafficking as it makes one not to benefit from any practical step taken to address the menace. Nearly a billion people entered the 21st century unable to read and write.⁴³ In Nigeria, there are about eight (8,000,000) Million children who are vulnerable to trafficking and have no access to education.⁴⁴ If one is educated he is enlighten and this will make him to understand the nature of any event or occurrence. In most countries including Nigeria where child trafficking is rife, illiteracy is a common cause of child trafficking. Statistics have also shown that fewer school age children are enrolled into school, and most of them will drop out of school before the completion of the primary grade.⁴⁵ Furthermore, due to high level of illiteracy among the rural dwellers in Nigeria, family planning is not adopted hence people reproduce children recklessly without planning for their education and general welfare, the end result being having more children than they can support hence the willingness to give out their children to agents of trafficking.⁴⁶ This practice is mostly found in Northern part of Nigeria where many parents can neither read nor write while their children are attending fourth rate schools, where they learn next to nothing. As a result, both group are easily deceived by fairly tales of milk and honey flowing bountifully in Europe and Saudi Arabia where people simply pick hard currency off the street.⁴⁷

3.1.3 Unemployment

Lack of employment is one of the greatest factors which force many people in Nigeria to pursue insecure and unreliable employment in other places. Somebody who has no economic resources can easily be lured by the dream of better livelihood and may easily be trapped by traffickers. Unaware of the possible consequences such people will often consent to travel through undocumented migration routes to affluent cities and countries and are in the process caught up either domestic or International child trafficking. Unemployment in Nigeria has always been on high. Every year many young people graduate from secondary and high school institutions with no employment. After years of working the street in search of non-existent jobs they are ready to go anywhere to do anything, just as long as they can be gainfully employed. The negative impact of unemployment is far worse for those young Nigerians who have or no academic qualification.⁴⁸

3.1.4 Corruption

³⁹ This poverty factor also explains in part human trafficking and exploitative migration from less endowed countries such as Togo, Benin to Nigeria. The same economic factors have driven Chadians, Malians and people from Niger to Nigeria and Nigerians to Europe, Middle East and other neighbouring African countries.

⁴⁰ "Human Trafficking in Nigeria: Root causes and recommendation", United Nation policy paper (2006) No. 14.2 (E) p. 34.

⁴¹ Abdulrahim Oputu Shaibu (Director legal and prosecution National Agency for the Prohibition of Trafficking In Person, National Headquarters, Abuja- Nigeria) Interview by Author Abuja: Abuja Nigeria, Date 7th August, 2014. At 111.

⁴² Hon. Justice H.N. Donli, Socio-Legal Consequences of Child Abuse in Women and Children under Nigerian Law, at 135-136.

⁴³ Unicef the State of theWworld Children 1999. Available at www.unicef.org/sowc99/index.html. accessed on 4/1/2015.

⁴⁴ Kongnyug, E., Kongnyug, A. and E. Richler "child labour in Cameroun" (2007) the internet journal of world health and societal politics Vol.5 No. 1 at 1.

⁴⁵ See Gray and Wouters "Country profile on women in development/Gender development in Combodia (1999), at 13.

⁴⁶ Ahmed Tijjani Umar, "Policy framework for combating human trafficking anf forced labour activities in KanoState" paper presented at a workshop organised by women development network, Kano in collaboration with the United Nations International labour Organisation and the prohibition against trafficking in west Africa (PATWA) (2006) at Daula Hotel Kano Nigeria.

⁴⁷ Monica Imam, "Human trafficking and HIV/AIDS" paper presented at a two days workshop organised by NAPTIP/UNDP (2010) on the danger of child trafficking in Nigeria at Zaranda hotel Bauchi, Bauchi State.

⁴⁸ Ibid.

The high level of corruption in Nigeria makes it possible for unscrupulous persons to use official channels to secure bogus travel documents for new recruit into prostitution abroad. Sometimes there is corruption even within the foreign missions themselves making it possible for criminal minded persons to procure visa for a fee.⁴⁹ Nigeria has attained a global status in corruption.⁵⁰ This submission found its support from a recent report by transparency international which tagged Nigeria as the 38th most corrupt nation in the global rating.⁵¹

3.1.5 Greed

This is an excessive desire to acquire or possess more than what one need or desires, especially with respect to material wealth.⁵² It can also be described as being controlled by material things such as power, food, cloth, money etc.⁵³ Due to greed and the quest for better lifestyles, young people easily fall prey to traffickers who promise them better jobs away from home.⁵⁴ Poverty precedes other causes of child trafficking because it relate and inter connected with all other causes of child trafficking which make parents to go as far as selling their children. But a close look at a situation where parents sale his/her child cannot be said to be due to poverty alone. Because there are parents who are steamily poor but will not sale his/her child. Merchandised of children is not synonymous with poverty. Some people are by their nature so greed and so found sale of babies and children profitable. To them once there is profit, it does not matter what article of trade is involve. They can therefore be distinguished from ritual killers who use other human being to make money. The driving force here is not poverty but greed. Money or what money can buy is the god they worship.⁵⁵ This god blesses its worshipers with power to influence other in society and prestige that comes with wealth. Father who sold their so- called "lazy" or "disobedient" child into slavery were not forced to do so by poverty, they wanted a life of luxury. Also, there are women who go abroad for purposes of prostitution and fully aware of what they were going into. This category of people can best be described as greedy people who want to make a huge of money and live beyond their means. They believe they can do that by earning hard currency in Europe or Saudi Arabia which they can then convert to a lot of local currency to satisfy their greed.⁵⁶ Therefore in child trafficking, parents do not sell their children because they want to escape starvation but because of their greed. They ignored the value of life for which Africa people are known for.

There are reported cases in Nigeria where parents or guardians sell their children for money. One good example of this is the case of Jennifer Ogbonna from Aba area of Abia state of Nigeria. The report has shown that Jennifer was sold by her sister to one Ismail Yusuf, a man from Abeokuta, Ogun state of Nigeria, for the sum of one hundred thousand Nigerian naira (N100, 000).⁵⁷ This incidence was confirmed by the victim, where she stated "I was sold by my sister in Aba for the sum of N100, 000 naira and brought to Abeokuta by the trafficker. I don't know that they had already paid money on my head. I only got to know in Abeokuta when I overheard the trafficker and her husband talking about me."⁵⁸ In as much as poverty causes child trafficking in Nigeria, greed also play very important role in child trafficking. This may get its roots from the olden days when African leaders (Chief and elders) sacrifice African traditional value for life on the altar of the new god i.e money, power and prestige and since then Africa has never been the same and this spread across most African countries which Nigeria is not an exception.⁵⁹

3.1.6 Peer group pressures

Peer group pressure is also one of the factors that influences child trafficking in Nigeria. Children fall victim to child trafficking because of peer pressure and lack of alternative opportunities within their impoverished home communities. They often seek out traffickers on their own initiative and are thus recruited.

3.1.7 Demand for female prostitution

One of the factors that strives child trafficking is the readily available market for customers of a trade in humans for sexual purposes. It is obvious that child trafficking would not have been on the raise if there exist no increase demand for it. Traffickers are kept in the business of child trafficking because there is high demand for it, and demand in supply of every product is associated with profit. When there is demand, the supply increases.⁶⁰ This is usually associated with a situation where there is

⁴⁹ Ibid.

⁵⁰ Ibid.

⁵¹ Ejike Ejike Leadership Newspaper of 4th December, 2014.

⁵² The Free Online Dictionary. Available on <http://www.thefreedictionary.com/greed> . Accessed on 24/11/2014.

⁵³ AbdulrahimOputu Shaibu (Director legal and prosecution National Agency for the Prohibition of Trafficking in person, National Headquarters, Abuja- Nigeria) Interview by Athour Abuja: Abuja Nigeria, Date 7th August, 2014.

⁵⁵ Euckay U. Onyuzugbo "Child trafficking, a new slave trade: why it thrives in Africa" (2011) Afro Asian journal of social science. Vol.2 No.2.3, at 8.

⁵⁶ Monica Imam "Human trafficking and HIV/AIDS" paper presented at a two days workshop organised by NAPTIP/UNDP (2010) on the danger of child trafficking in Nigeria at Zaranda hotel Bauchi, Bauchi State.

⁵⁷ Ibid.

⁵⁸ Naij.com online Nigerian Newspaper of 8th April, 2014. Available at. [://C:/Users/Flex%20/20Dropbox/Research_Staff/CHAPTER%20%20THREE/How%20My%20Sister%20Sold%20Me%20With%20Pregnancy%20For%20N100,000%20E2%80%94%20Victim.htm](http://C:/Users/Flex%20/20Dropbox/Research_Staff/CHAPTER%20%20THREE/How%20My%20Sister%20Sold%20Me%20With%20Pregnancy%20For%20N100,000%20E2%80%94%20Victim.htm). Accessed on 24/11/2014.

⁵⁹ Euckay U. Onyuzugbo. P. 9.

⁶⁰ Torry and Dubin "Demand dynamics:the forces of demand in global sex trafficking (2003) at. 60: The root cause of trafficking is demand for commercial sexual services, without which trafficking for purposes of sexual exploitation would dissolve.

abundant male demand for sex but insufficient supply has resulted in aggravating commercial sex industry.⁶¹ A good example of this type of situation is the influx of American soldiers in South-east Asia in the 1960s which led to a sudden and rapid increase in the demand for commercial sexual services.⁶²

3.1.8 Broken Home

A broken home is a serious and recurrent issue emanating from the home environment and as well, facilitates the trafficking of children in the contemporary societies like Nigeria. Thus, the issue nowadays requires much attention and further investigation in order to tackle the escalation of child trafficking and the vulnerability of children to trafficking in the society. Profiles of trafficked children interviewed revealed that most of the trafficked children were products of broken homes and/or orphaned children.⁶³ An estimate reveals that from Northern part of Nigeria alone, about 9.5 million children; who are between the ages of 6 to 15, and who are mostly orphans and are not exposed to western education, are said to have been trafficked from one place to another.⁶⁴ Broken homes and lack of fix place of abode always make children vulnerable to traffickers. In the past, parents cared for their children regardless of marital status. However, today, many parents abandon their children when the marriage ends in separation. The divorce of the child's parents and the broken home environment are contributory factors to child trafficking. In some polygamous family, where a husband takes another wife, some step wives are cruel to children of the estranged or former wife and would not hesitate to abuse such children.⁶⁵

3.1.9 Family size

Child trafficking is more likely to occur in a crowded home with a large family. The size of the family may therefore, be a potential source of child trafficking especially where the family is large and poor.⁶⁶ Demographically, the growth rates and the densities are of such magnitude that available social amenities cannot go round or are too expensive for the average families. When the family cannot afford the basic necessities of life, either as a result of income insecurity due to unemployment or retirement, the children will be asked to engage in some form of work such as hawking, begging, domestic servant. Although, the purpose of this is to make up for this shortage, the child is likely to fall victims of trafficking.⁶⁷

3.1.10 High Profits

High Profits accrued in human trafficking, especially trafficking of children and women also pulls them into it. That is to say, child trafficking thrives because of its profitability. The UN estimates it to generate US \$7-\$10 billion annually, the third largest profits behind arms dealing and narcotics. It is also easier to move human cargo across borders than drugs or weapons which are seized when found. Human beings can be constantly re-used and re-trafficked – not so for drugs. Child trafficking is, by definition, a complex, clandestine, underground business, constantly changing and evolving both in response to demand and to remain sufficiently flexible to elude arrest and prosecution.

3.1.12 Low risk

Another pull factor to the child trafficking is the low risk that is involved in the process, especially when compared with other cross-border crimes which contain high level of risk. However, by its very nature, child trafficking is secret and dangerous, which helps explain the inadequacy of reliable information. Victims of trafficking are normally lured by the traffickers right within their families and villages (which often provided the funds for the journeys they anticipated and take the child to a job that could help support the family), and because of the stigma of prostitution, Fear and mistrust of police, the lack of documentation and fear of complicity also play a part in maintaining the victim's silence.⁶⁸ Most victims are poor, illiterate, from marginalized populations and are ignorant of their rights. Traffickers exploit not only bodies but the deepest anxieties and disadvantageous life conditions of the victims. This and many other factors made child trafficking with low risk as the whole business is conducted in secrecy and victims of child trafficking compound the issue by being unwilling to provide useful information about their traffickers, this may not be unconnected with the oath of secrecy victims are subjected to at the point of trafficking.⁶⁹

⁶¹ Yen- Ovice and Men "A new approach to eradicating sex trafficking by reducing male demand through educational programme and abolitionist legislation (2008) Journal of criminal law and criminology Vol. 98 No. 2 at. 653.

⁶² Ibid.

⁶³ Husseini Musa (a 9 years old Almajiri found begging for arms at custom area of Maiduguri, Borno State) interviewed by Authour Maiduguri, Borno state, Nigeria on 10/6/2014.

⁶⁴ Kuni, Tyessi "Northern Governors and Almajiri Education" Leadership newspaper of 4th December, 2014. It can also be found from a joint report of new orphan estimates and a framework for action, at www.unicef.org/publications/index_22212.html, accessed on 20th October, 2014.

⁶⁵ Ibid.

⁶⁶ Hon. Justice H.N. Donli: Socio-Legal Consequences of Child Abuse in Women and Children under Nigerian Law, at 140.

⁶⁷ Ibid.

⁶⁸ UN, Human trafficking in Nigeria: Root causes and recommendation" United Nation policy paper (2006) No. 14.2 (E) p. 36.

⁶⁹ There are also cases of churches in Benin, city (Edo State of Nigeria), which revealed that persons intending to be travelled to Italy (called italios) visit to pray against repatriated and for protection against violent customers. Cf Grace Osakwe and Bisi Olateru Olagbegi (1999) A primer of trafficking in women, the Nigeria case.

4.0 Child Trafficking in Northern Nigeria

There is a peculiar form of child trafficking which occurs in Northern part of Nigeria which are predominantly Muslims. "Almajiri" the Islamic practice that enjoins Muslims faithful to seek Islamic knowledge from outside their home is known as "Almajiri" Historically, it helps to empower children with Islamic knowledge. In recent years, poor parents have been sending their children to different states, within and across Nigeria borders to Islamic tutors without adequate provision for their up keep. Some of the religious tutors take more pupils than they can care for and then the children are made to beg for survival. This is a systematic form of child trafficking; in which in the name of belief or religion, parents compromise their primary responsibilities to cater for the need of their children. Although, it is one of the forms of trafficking which are underplayed and not typically regarded as child trafficking *per se*. however, as a result of the child neglect by his parent to be taken away from his home to another place, makes it to be considered as an abuse as well as a child trafficking. This situation happens mostly in Northern part of Nigeria, which is dominated by Muslims. In Northern Nigeria, for example, child trafficking is often disguised as institutionalized migration known as "peripatetic scholarship"⁷⁰ or "almajirci" (traditional scholarship).⁷¹ *Almajirci* however, when conducted in the pupil's hometown, is subject to parental care and does not therefore fall under the definition of trafficking. These children are seen going about the street begging, hawking and even a times engage in criminal acts. Tutors then take the proceeds of the begging and other activities.⁷²

It is instructive to mention here that this type of begging in which the child is controlled and cannot leave, amount to exploitation. The child is transported and received by the tutors, and the parents were not aware of the situation that their children would find themselves in, can also be classified as a form of trafficking.⁷³

It can, however, involve the movement of large numbers of pupils, often teenage males, by an Islamic teacher (*Malam*) from their hometown to somewhere far away from home and sometimes even unknown to the parents. The pupils learn from the scholar as they move from one town to another. They are often inadequately prepared for such a journey. The *Malam* is frequently too poor to sustain his family or the pupils entrusted to him. Consequently, both the *Malam* and his pupils often rely on the benevolence of the community in which they happen to be guests. In most instances, the *Malam* lives on the support of his pupils who beg or perform menial tasks for food sellers and shopkeepers in public places and motor parks all over northern Nigeria.⁷⁴ The rationale for traveling to the city, the quest of Islamic knowledge, is often forgotten when hunger and neglect begin to take their toll on the children.⁷⁵

Unfortunately, both the benefactors and the pupils are often unaware that this constitutes a violation of the children's right and a deviation from the International norms. This *Almajirci* is like trafficking because of the servitude and exploitation that goes along with it.⁷⁶ Furthermore, children and young women are also lured into trafficking for sexual gains via their desire to go to Saudi Arabia for pilgrimage. This is another example of Islamic affair being manipulated for the purpose of trafficking. Young girls from nearly all the 19 Northern states of Nigeria are potentially vulnerable to this issue.⁷⁷

In tackling the menace of child trafficking in Nigeria, Government has made efforts at promulgating laws that will help bring the problem to a conclusive end. These laws have in various ways attempted to legally address the problem of child trafficking in Nigeria by criminalizing child trafficking in all its ramifications. From the early days of the general criminal laws like the criminal code (apply in southern part), penal code (apply in northern part), children and young persons Act, to the more specific law; Trafficking in Person Prohibition Law Enforcement and Administration Act which specifically aims at criminalizing human trafficking including children, the aim has been the same: putting an end to the menace of child and human trafficking. However, the general performance of these laws has not been encouraging because they have failed to address emerging form of child trafficking such as Almajiri syndrome.

5.0 Impact of Almajiri Education

The concept of Almajiri education which is practice in northern Nigeria is to seek Islamic knowledge by children of Muslim faithful from outside their homes, and has historically been useful to children. However, in the recent past, poor parents have been sending their children to different states within and across Nigeria's borders to Islamic tutors without adequate provision for their up keep. Some of the religious tutors take more pupils than they can care for and then the children are made to beg to survive. Hundred of these children are seen roaming the streets begging and sometimes engaging in criminal acts. Tutors then

⁷⁰ UNESCO Policy paper 14.2: Human Trafficking in Nigeria: Roots Causes and Recommendations 2006 at 182

⁷¹ Peripatetic scholarship is a traditional educational system in which a pupil or student straddles between two schools.

⁷² National Agency for the prohibition of trafficking in person and other related Matters Act (NAPTIP) Access to justice for trafficked person in Nigeria: A handbook for legal Actors and Assistance providers, Naptip, Abuja, Nigeria, 2009, at 11.

⁷³ Ibid.

⁷⁴ Zachariah, Yakubu (Dr) (2004) The Almajirci Lurch, and Disguised Forms of Human Trafficking in Northern Nigeria, at 3-8.

⁷⁵ Until the introduction of Sharia and the closure of many brothels and houses of prostitutes in some States in Northern Nigeria, the almajirci were found running errands for prostitutes or handling their house chores.

⁷⁶ UN, op. cit, p. 36.

⁷⁷ There are also for example, churches in Benin, city (Edo State of Nigeria), that persons intending to be travelled to Italy (called italios) visit to pray against repatriated and for protection against violent customers. CF Grace Osakwe and Bisi Olateru Olagbegi (1999) A primer of trafficking in women, the Nigeria case.

take the proceeds of the begging and other activities.⁷⁸ The attendant consequence of Almajiri education on the children cannot be over emphasised. The practice destroys the natural good in an individual where he will not be seen with dignity, self respect and self esteem.

Begging in this form in which the child is controlled and cannot leave, is exploitative. Furthermore, as the child is transported and received by the tutors and the parents were not aware of the situation that their children would find themselves in, the situation can be classified as a form of child trafficking.⁷⁹ Although, It started originally as an organized and comprehensive system of education for learning Islamic principle, value, jurisprudence and theology just as Islamic centres in other muslim countries such as the madrasah in Malaysia, Pakistan, Egypt etc.⁸⁰ The practice in northern Nigeria have deviated from the laudable benefit associated with the practice, hence the Islamic teacher who suppose to provide shelter, feeding and other necessary of life for the children fail in this responsibility and pose great challenge to the right of the Nigeria child and national security.

The number of school age children that fall victim of this practice is frightening. This is because about 8.6 million children across Northern are involved.⁸¹ With the North-West having 4.9 million, North-East 2.6 million, North-Central 1.1 million.⁸² Although the plight of the Almajiri-child is common knowledge in Nigeria, it has, unfortunately, received very little attention from human rights groups. Lesser attention has been paid to it by government and policymakers in the country.⁸³

The 2008 UNICEF report reveals that the Almajiri-child belongs to a group of vulnerable children (called the 'Almajiri) who constitute the subjects of this practice in Northern Nigeria. Their basic rights to survival and development as well as protection are violated as they are exposed to all forms of violence, discrimination, abuse and neglect by parent or guardians thereby making them vulnerable to trafficking.

Further studies have also shown that the Almajiri children constitute the bulk of child workers on farmlands, exposed to labour exploitation due to the seasonal migration and the fact of their situation as immigrant children. The resultant consequence is their vulnerability today as victims of child trafficking, ritual killings and of manipulation, because they are easily instigated or recruited to commit acts of terror or to serve as agents of destruction in time of civil disturbances, especially, ethno-religious conflicts in Northern Nigeria. In such situations, they also become victims of deprivation of their rights to life, to human dignity, to qualitative and quantitative education, to health and access to health care 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.⁸⁴

We therefore recommend for the enactment of a law to regulate the activities of Almajiris education in Northern Nigeria that will emulate the practice in some Muslim countries where the practice is successful like the madrasah in Malaysia, Pakistan, Egypt, so as to achieve the purpose for which it was intended. This is believed, will save children from Northern Nigeria from the danger associated with the practice.

6.0 Conclusion

The concept of *Almajiri* education was traditionally meant to provide children of Muslim faithful with sound Islamic knowledge so as to prepare them to be useful members of the society. However, the practice has now been abused because it now involve the movement of large numbers of pupils, often teenage males between the ages of 5 to 15 by an Islamic teacher (*Malam*) from their hometown to somewhere far away from home and sometimes even unknown to the parents. Hundred of the children are seen roaming the streets begging, hawking and sometimes engaging in criminal acts. The practice which was meant to prepare the children to be better adults has turned against them, thereby destroying the natural good in them where they will not be seen with dignity, self respect and self esteem. Begging in this form in which the child is controlled and cannot leave, is exploitative and can be classified as a form of child trafficking.

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⁷⁸ NAPTIP "Access to justice for trafficked persons in Nigeria" A hand book for legal actors and assistance providing (2009) at. 16.

⁷⁹ Ibid.

⁸⁰ Jungudo, Op.cit.

⁸¹ Nigeria Federal ministry of education 2011 Annual report.

⁸² Ladan, M. T. "Impact of insecurity in the north on internally displaced people and migration flows between Nigeria and neighboring countries" Being a paper presented at the forum of European Union working group on migration (2012) at Development EU Meeting room 1, (Portakabin) 21st Crescent, off Constitution avenue, CBD, Abuja.

⁸³ Ibid.

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