



JUSTICE IN A HOSTILE ENVIRONMENT: PREVENTION OF THE TAXONOMIES OF CRIMES THAT DISCRIMINATE AGAINST CHILDREN'S RIGHTS TO EDUCATION IN NIGERIA

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Abstract

Some crimes are perpetrated against Nigerian children that directly hinder them from enjoying their right to educational advancements. Nigeria is a signatory to the CRC and even grounded most domestic laws on children's rights on the provisions of the CRC. Nigeria is making progress in enforcing children's educational rights but due to various crimes, the reality of these rights for many children are not assured. This paper explores crimes against children and the challenges on their educational rights in Nigeria. Major findings are discussed through an examination of the various crimes and relating it to the experience of children that have had their rights to education curtailed in Nigeria. This paper argues that government and families should have concentrated more on reducing these crimes in order to safeguard the educational rights of children and not just securing the implementation of the laws.

Keywords: *Rights, Education, family, Crimes and Development*

Introduction

There are some crimes that are perpetrated against Nigerian children which directly hinder them from enjoying their basic rights to educational advancements. Nigeria is making progress in enforcing children's rights but despite this, the reality of these rights for many children are not certain because of crimes perpetrated against them. For instance, "Six out of every ten children suffer violence before the age of 18; 43% of girls are married before their 18th birthday and 17% are married before they turn 15; 10.5 million children are out of school; and 41 children have been used in so-called "suicide" attacks in the conflict in the northeast of the country" (OCHA Services, 2016). Some of these crimes include child labour, domestic violence, kidnapping children from school as a result of terrorism and banditry, child abuse and child trafficking. When these crimes stop children from schooling, they turn out to be vagabonds and delinquents, some become house wives or live in lovers and some lose their lives. In the long run, it becomes almost impossible for these children to go back to school which ultimately increases the illiteracy level and reduces the country's development. A lot of children in Nigeria engaged in street hawking or are used as maids in houses and are often times sexually abused (Shaibu, 2014). Majority of the children who hawk wares for their parents or guardians easily fall victims to abuse. In a good number of instances they are pressured or lured with gifts. They are then prevented from telling anyone about such encounters.

Crimes against the child is referred to as any act or miscarriage of duties on the part of a parent, guardian or caretaker which leads to physical or emotional injury, sexual abuse or exploitation and death. Such form of abuse against the child is an old and reoccurring situation in Nigeria. It

is increasing on an exponential level and has become one of the most serious complications in the world. Less than 10% of our GDP is spent on children who make up 40% of our population. With an increased understanding of crimes against children, it is anticipated that a more broad concern for the welfare of our country's children would be realized. (Ambdi, 1990).

Educational developments of children is a germane foundation for the expansion of any country. The National Bureau of Statistics in 2010 embarked on a National Literacy Survey which showed that the adult literacy rate of Nigeria is estimated at 59.6%, with noticeable variations between sex and states, with the adult literacy rate higher in suburban Lagos with 92.0 % and low in the North-Central, with Borno State having 14.5%. The same variation is noticed in the sexes, with the male population recording a 61.5% adult literacy rate and the female population narrowing down with a 48.6% adult literacy rate (Global Partnership for Education, 2019). In a space of five years, 2010-2015, the adult literacy rate witnessed an unprecedented rise from 10.5 to 13.2 million, with 60% of this population from Northern Nigeria (United Nations, 2015). The massive human capital developments in countries like Germany and Japan between 1949 and 1972 is chiefly attributed to the huge investment in education by means of technology, which led to the rise the general productivity per citizen by 5.7% in Germany and 8.2% in Japan, all in just an interval of a year (Osaru and Umoru, 2017). There is no gainsaying that a country that looks forward to development should take vibrant steps towards empowering children with education and curbing incidences of any crime/violence against children. This paper explores the various forms of crimes against children in Nigeria, as well as the legal provisions and instruments implemented to curb the occurrence of such forms of offences.

Crimes against children's right to education are high in Nigeria, but are mainly under-reported. This is chiefly as a result of cultural rationalization of certain forms of these crimes linked to cultural norms and the lack of enthusiasm on the part of these children to narrate their past ordeal in the hands of the abusers. In certain cases, these children happen to be very young to have a very clear understanding of their experience or are just incapable narrating such events (Olusegun, Olaitan, Idowu, and Amos, 2016). Parents are also not willing to publicly report at the police station when these crimes are perpetrated against their children.

The objective of this study is to explore crimes that deter children from enjoying their educational rights. This research adopts the empirical methodology. The qualitative approach was used wherein some children whose rights to education had been violated by crimes were interviewed in the three regions across the country so as to cover the experience of children in the country.

Classifications of Crimes against Nigerian Children

Crimes against children that bar their rights to educational advancements can either be sexual or non-sexual. Sexual forms of violence or abuse can either be child marriage, child sexual abuse, baby factory or prostitution. The non-sexual form of abuse comprises of neglect, child labour, kidnapping, Rituals and trafficking.

Sexual Crimes

The following sexual crimes are explored in this study;

Child Defilement

Child defilement in Nigeria is an offence that occurs when a child that is below fourteen years of age has sexual intercourse with or without her consent (Criminal Code, 2004 & Penal Code, 2004) Child defilement or child sexual abuse is referred to as the "involvement of a child in sexual activity that he or she does not understand, cannot give informed consent to, or for which the child is not developmentally prepared, or that violates the laws or social taboos of society". (UNICEF, 2014). Human rights scholars have asserted that such crimes against children negatively impacts the protection of children's rights both privately and publicly. (Sherbert Research, 2007; Leviner, 2013). This offence also limits the educational development of child due to the negative consequences that comes with it.

There is also a shortage of information on child defilement in Nigeria as the few studies embarked on have been in educational settings (David, Ezechi, Wapmuk, Gbajabiamila, et al 2018). The global occurrence of sexual abuse is within the 5%-36% range (Barth, Bermetz, Herin, Trelle et

al 2015). Results from studies carried out in the sub-Saharan African region shows similarity with the aforementioned occurrence rate (Lalor, 2004 & Awusabo-Asare, Madise, John-Langba, Kumi-Kyereme 2007). Although, the exact drain caused by Child Sexual Abuse is unknown in Nigeria, but it is estimated to show a discrepancy between 5% and 36% across the different regions of the country (Odu, Falana, Olotu, 2014 and Ogunyemi B, 2000).

The chief contributory factors to child sexual abuse are poor education, poverty, unstable home settings and ignorance (Moore, Awusabo-Asare, Madise, John-Langba, Kumi-Kyereme, 2007 and Ng'ondi NB. 2015). In African communities, certain of these factors are heightened as a result of the wearing-away of cultural values and the extended family safety net, which is a consequence of rapid westernization and urbanization (Adedoyin, Adegoke, 1995). It is of great concern that despite the provisions of both domestic laws and the international ones on the crime of child defilement, the rate of perpetrators continue to soar (Imosemi and Atatobe, 2019).

Child Marriage

Child marriage is also a hindrance to children's educational rights in Nigeria. As a result of the cultural and religious orientation of majority of people in Northern Nigeria, young girls between 9 to 15 years of age are given off as brides. This is clearly against the wishes of most of these girls as they are given to men as old as their grandfathers (Alabi, Bahah, and Alabi, 2014). A study carried out by the National Population Commission (2008) showed that 28% of the ladies surveyed within the age bracket of 15-19 years were already in their matrimonial homes. 12% of the ladies within the aforementioned age bracket were given out in marriage when they were only 15 years of age and 26% of them were long married and had co-wife(s).

This practice is carried out in Nigeria, mostly by the Hausa-Fulani ethnic group who are mainly found in Northern Nigeria. This practice is however popular in other regions of the country, however to a lesser extent as compared to the permissibility Northern Nigeria. Young girls in northern Nigeria, particularly in the north-east and north-west regions are married five years before those in the southern states, where ladies are given better education (Federal Ministry of Women Affairs and Social Development, 2016).

Child marriage in Nigeria is mainly influenced by patriarchal cultural orientation, a need to control the female sexuality, and pedophilic desires of certain men. These pedophiles take advantage of the economic conditions of the parents who have young daughters and lure them with money into giving their daughters to them (Mathias, 2015). The purity and virginity of these young girls is overly stressed in these marriages (Fayokun, 2015). The virginity of the young girl is seen as a reflection of the family's honor, so a majority of parents in Northern Nigeria would marry off their young daughters to guard them from sexual immorality thereby safeguarding the family nobility (Davids, 2007).

Furthermore, very young girls are given out in marriage at a very young age for financial gain the parents or guardians get to receive in return in form of bride prices. The virginity of these young girls is being highly valued (Chika, 2011 and Bunting, 2005). This form of marriage exposes these very young girls to adverse health effects and robs them of their young years which is instrumental for their emotional, physical and psychological development (Igberase, 2012).

Child-marriage is a gross violation of the rights of the child as it hinders educational development, leads to social isolation, Vesico Vaginal Fistula (VVF) and early pregnancy (UNICEF, 2018). It should also be regarded as a form of slavery where a girl child be exposed sexual forms of slavery, domestic servitude, and abuse of their rights to education and health care (OHCHR, 2012).

Baby Factory

"Baby Factories" is referred to a setting where young girls are sheltered for the chief purpose of giving birth to babies for rituals, illegal adoption, and other purposes (British Broadcasting Corporation, 2007). The International Crimes Database Report describes the occurrence of "baby factory" in Nigeria as a prevalent crime which is organized since certain members of this criminal

outfit are serial human murderers who are also members of human trafficking rings (Huntley, 2013). Amongst those who run these criminal outfits are health care specialists with employees, amongst which are men whose primary duty is to impregnate young girls and women. Following the early days after delivery of these babies, the young mothers are paid off and the baby taken away (Madike, 2013). It is alleged that these children are sold to parties who adopt them, turn them to slaves, or use them for ritual purposes (Huntley, 2013 and Uduma, 2011).

The growth rate of young girls being enticed into giving away their children after child birth for financial remuneration has put the tag on Nigeria as a society with the most debasing form of child abuse, trafficking and sexual assault (Eseadi, Achagh, Amaka, and Shulamite, 2015). Media attention has since focused on this issue for a long time now with numerous reports circulating. In Enugu state it was discovered that certain baby factories were disguised as an orphanage home in which seven teenage girls were being rescued. Another thirteen girls were also rescued in the state (Ahaoma, 2014). In a raid by the Nigerian Police Force in a "baby factory" in Lagos, it was reported that the gender of the children being born determines the price they are being sold for, as male babies were reported being sold for \$1,400 while female babies were sold for \$830. There have been numerous raids, one of which 160 children were rescued last year. The girls rescued during the raid were within the age range of 18-28 (BBC, 2019). Baby factory proprietors lure school children to become pregnant which most times marks the end of the educational career of such young girls.

Child Rape

Child rape in Nigeria is becoming widespread lately and this is very pathetic with the victim of this act being children and infants. The outcries against child rape in the country have gotten international and local attention (Uzoanya, 2015). Notwithstanding the relevant international and domestic laws to curb child rape, the problem is still predominantly intractable. In most cases, these children are raped by their fathers, uncles, grandfathers, aunts, neighbors or even family friends. Leaving children in the hands of neighbours is not exactly a safe option as it is uncertain what may go on. According to a recent report by Orjinmo (2020), in Ekiti State of Nigeria, a 17 year old was gang raped; a twelve year old was raped for a two month interval in Jigawa State. Also, one Mr. Ojobo of Enugu-Ezike Community in Igbo-Eze North Local Government Area of Enugu State was apprehended by the State's Police Command for raping 11 children between the ages of three and above. The culprit is reported confessing to flashing a white magical cloth on the faces of these children which hypnotized them, causing them to follow him to where he sexually abused them for ritual purposes (Olujisting, 2016). In Owerri State of Nigeria, an eight year old girl who hawks sachet water was reported being raped by five men in an isolated area of a market (Vanguard Newspaper, 2022 and Onyejiuwa, 2016).

There is no gainsaying that the culprits behind crimes of rape and other sexual related offenses are not well prosecuted in Nigeria (Achunike et al, 2014). In over 100 related incidents, the suspects were not even prosecuted (Alhassan et al, 2013). Poor investigation on the part of law enforcement authorities result in a situation whereby a good number of perpetrators of this heinous crime are moving around freely (Agiriga, 2019). The gaps in Nigeria's legal system can be said to be the reason why there is a spike in cases of child rape in the country. It is the insistence and recommendation of the legal institutions in Nigeria that victims of sexual assault come forward with the bed sheets they were raped, their underwear and present themselves to the station without cleaning themselves, if not the accused would walk free for lack of evidence (Tade and Udechukwu, 2020).

Non-Sexual Crimes

This is also referred to as physical form of child abuse. Examples of this form of crime against children are corporal punishment, child labour, child trafficking and a long list of others. In developing countries worldwide 80-98% of children in these countries are exposed to physical forms of abuse in their homes (UNO, 2006a). According to UNICEF, (2003) an estimated number of 15 million children engage in menial jobs, a good majority of them being young girls from Northern Nigeria that dropped out of school.

Corporal Punishment

Corporal forms of punishment are not foreign in Nigerian homes and centres of learning. Its legality in Nigeria is also not contested, however it raises some human rights concerns, with respect to the child abused and it is not in compliance with international laws. Such forms of physical abuse are in direct violation to the rights of a child. In November, 2020, Mr. Emma, a mathematics teacher in a secondary school in Lagos state beat a student to death because he could not answer the teacher's question correctly (Ogundare, 2020). This type of occurrence automatically brings the educational career of a student and that of right to life of a student to an abrupt end.

The Centre for Law Enforcement Education (CLEEN) embarked on a research in 2000 which showed that juveniles suffered serious physical assaults at the hands of law enforcement agencies, with corporal punishment being the most frequently employed (Alemika & Chukwuma, 2001). It is however pathetic that in Nigeria corporal punishment is not completely illegal. Nigerian courts are even authorized by a number of Acts and criminal codes to recommend flagellation, flogging, or other forms of corporal punishment to children found guilty of certain offenses (CYPLN). A few of these laws actually stipulate the number of strokes to be administered on a child; a good example is the Criminal Procedure Act which states that

"a maximum of 12 strokes shall be inflicted with a light rod or cane or birch. It must be carried out as soon as possible after sentencing or after the decision on appeal of the sentence" (CYPA, 1945).

Section 34, This form of punishment is a violation of many human rights treaties which Nigeria is a member state. The United Nations Universal Declaration of Rights which has assumed the position of customary international law states that;

"No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment" (UDHR, 1948).

This is also backed by the African Charter on Human and People's Right which states that; "all forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited" (ACHPR).

Child Trafficking

Child trafficking comprises of the enlistment, transportation, handover, sheltering or receiving of individuals, by exertion of force or employing threat or other forms of capture, of trickery, of the abuse of an individual by virtue of such an individual's level of vulnerability, or the exchange of money so as to get the approval of an individual who has control a person, for the purpose of taking advantage of such an individual (Marsh, 2015). Child trafficking is as a result of a variety of reasons, the most common being, poverty and illiteracy.

There is no gainsaying that child trafficking in Nigeria is a serious problem that is in need of urgent attention. The United Nations Office on Drugs and Crime (2009) stated that trafficking is understudied; therefore making mitigation programmes ineffective. Nigeria plays the role of the center for trafficking in West Africa and to a little degree, an endpoint for young children from neighboring West African countries (Houdges, 2001). In a statement by the United States Administration for Children and Families, "sex trafficking is a modern day form of slavery in which a commercial sex act is induced by force, fraud or coercion, or in which the person induced to perform such an act is under the age of 18 years" (U.S Fact Sheet, 2012).

In regions in Northern Nigeria ravaged by the Boko-Haram terrorist group, the economic situation is unfavorable, making it very difficult for parents to cater for the needs of their families. As a result of this they engage in child trafficking or other numerous forms of labour for economic gains (United Nations Policy Paper, 2006). A popular culture in this region is the practice of parents sending their children off to learn Islamic knowledge under the tutelage of teachers referred to as 'Mallams'. Most parents however are ignorant of the fact that such form of transport of children from one region to another can be termed as child trafficking (NAPTIP, 2009). This practice is known as 'Almajiri' which is derived from the Arabic word 'Almuhajirun' which is translated as emigrant. It is worth mentioning that it first began as a well-structured and broad system of education for learning Islamic jurisprudence, principle, value and theology similar to the madrasah in other Muslim populated countries like Egypt, Pakistan and Malaysia,

etc. (Maryam, Kelechi & Mary, 2014). These children in their numbers live in the compounds of these teachers. With little or no funding from their parents, these children live in deplorable conditions and therefore resort to begging in search for any means of sustenance. In a good number of cases these 'Mallams' who are supposed to be the guardian of these children, sent out to take part of in manual work and bring the proceeds back to him (Yakubu, 2004). Besides begging, these children are often times used for paid labour. Kabiru (2010) is reported to have quoted Abdulkareem Kwando a medical doctor who stated that, "the condition under which these street urchins lives makes them to develop very strong immunity to illnesses and diseases, which baffle medical practitioners." In the long run the quest for Islamic education that made them emigrants is thus forfeited as a result of neglect and the terrible living conditions faced by these children. The consequences of this practice cannot be overemphasized.

Child Labor

Child labor has to do with activities that are detrimental to the health of children as this comprises of any job or task that are threatening to the life of the child thus a complete violation of the fundamental health of the child. Also in this category are tasks or jobs that completely drain off the strength of the child, cause harm to their bodies, and stands as a blockade between them and their education, which is a key to a better future. An estimated number of eight million children struggle with their education and menial jobs, which is used in financing their education (UNICEF, 2006). As a result of the demanding schedules of these jobs, they are time and again forced to skip classes. In a situation where these children aren't getting the education needed to end the vicious cycle of poverty and abuse that prevents from having a better shot at life (Adegun, 2013).

Terrorism and Banditry

The Boko-Haram insurgency in the North-Eastern parts of Nigeria has a tremendous effect on school attendance in the region. The children in this region have experienced trauma as a result of this, and many of them have been forced to live their homes, watch their loved ones die, schools burnt down. UNICEF (2015) reported that due to the nonstop attacks by these insurgents on schools, teachers and children, over a million school children have been made to leave school. According to the Protective Sector Working Group (2015) teachers are also facing the same faith. Over 1.4 Million children who in the absence of insurgency would have occupied these schools are now on the run for their lives or internally displaced (UNICEF, 2015).

There have been reported cases where members of terrorist groups have attacked school premises, leaving a good number of students and teachers killed, maimed and murdered. A secondary school was attacked by a suicide bomber on, leaving 47 pupils dead. What made international headlines was the abduction of Chibok girls from their school dormitories by the Boko-Haram terrorist group (Annual Report of the Secretary General, 2015). This incident attracted outrage and condemnation from the international community and led to the popular "BringBackOurGirls" Campaign (Anon, 2016). Up till date one of the 110 girls within the age range of eleven to nineteen years taken captive by terrorists from Government Girls' Science and Technical College, Dapchi since February 2018 haven't been released. She was forced to accept Islam and forcefully given out in marriage to one the high ranking member of the Boko Haram terrorist group. There is a report that she birth to second baby while in captivity (Guardian, 2021). Schools in Northern Nigeria have been facing attacks by bandits for quite a while now. One of such attacks by these bandits is the attack on Greenfield University, a private institution in Kaduna State Nigeria. This was reported to be the fifth documented attack on the institution since December, 2020. A staff of the University was reported saying that 20 students and three non-academic staffs were kidnapped; however this number is not confirmed by state officials. A few days later, the bodies of three of the abducted students were found in a village very close to the school premises. North West Nigeria have also experienced series of kidnapping since December 2020, especially students, more than 700 students have been kidnapped in these region. Armed men stormed the Federal College of Forestry Mechanization in Kaduna on March 11, 2021 and kidnapped 39 students. The kidnappers demanded a ransom which was paid by parents (Al Jazeera, 2021b). Among those kidnapped were 23 females and 16 males. On 26 February 2021, 279 female students within the age range of 10-17 were abducted from Government Girls Science Secondary School in Jangebe, Zamfara State during a raid on the

school premises. The *Jangebe Kidnapping* became the second recorded kidnapping in the month of February 2021 and the third in just an interval of three months. This occurred nine days after the *Kagara Kidnapping* in Niger State where 42 students were abducted. A similar attack occurred in Kankara Local Government Area of Kastina State in the North-Western part of the country where the whereabouts of 300 boys was unknown. People living near the attacked Government Science Secondary School stated that they heard gun fire around 23:00. The security personnel in the school premises tried to repel the attack before reinforcement arrived. A student, who managed to escape, told reporters how he crawled for hours in the forest to safety (BBC, 2020). The *Kagara attack* took place in Kagara Local Government Area of Niger State. In this attack, 27 students, 3 staffs of the school and 12 members of their household, were kidnapped in Government College Kagara. The people kidnapped spent over nine to ten days in captivity (Al Jazeera, 2021c).

Even prior to terrorism in the North-East, education on the girl child suffered a huge blow, the situation however deteriorated as a result of the terrorist attacks, with certain individuals being turned into social bombers (Sanni, 2015). The level of insurgency in the region has informed the decision of parents that has led to the reduced school attendance of their children (Joda & Abdulrasheed, 2015).

Child Rituals

The spike in the rate of kidnappings in Nigeria is one of growing concern. Between the periods of 2003-2013, the 4,000 cases of kidnapped victims have not been found (NBS 2013). It is highly speculated that these victims were mainly kidnapped for ritual purposes. Kidnapping for ritual purposes has to do with taking the life of the victim or severing off certain parts of ritual significance. Such body parts in line with occultic practices/beliefs are used to get supernatural powers, wealth, favour, money or even fame. Emmanuel Emeka, a seven year old boy was kidnapped by the pastor of Holy Family Ministry, Lagos for the purpose of using him for blood rituals in Ikorodu (The Sun, 2014). A similar incident occurred in Calabar, Cross Rivers State where one Mr. Udo drugged his two nieces, before proceeding to beheading them. He then sold both heads to a ritualist for One Million Naira per head (Jo, 2013). In Igbagbo, Lagos State Nigeria, a 10 year old reported being abducted by ritualists in a bus alongside fellow passengers but managed to escape (Balogun, 2012). A more recent occurrence took place in Ondo State, where the Chief Magistrate Court of the State arraigned three men for three count charges of deprivation of liberty, abduction, misdemeanor, conspiracy and others. The three were alleged to have kidnapped three minors with the intent of using them for ritual purposes. The three minors were found present with the suspects at the time of arrest as stated by the Police Prosecutor, Inspector Adeoye Adesegun. The suspects however pleaded not guilty to any of the charges (Babajide, 2021).

Table 1. Crimes committed against children that impedes the Right to Education

Crime Against Children	Major Perpetrators	Dangers/Consequences
Child Sexual Abuse	Family members, neighbors, friends, strangers etc.	Distrust, Early Pregnancy, Vesicular Fistula, Maternal Mortality, Psychological issues, etc.
Child Trafficking	Family members, neighbors, professional child traffickers, etc.	Psychological/behavioral problems, risk of rape/sexual molestation/assault, high risks of unwanted pregnancies and unsafe abortions with its complications and sexually transmitted diseases.
Corporal Punishment	Family members, school teachers	Physical Injuries/deformation, psychological/behavioral problems.
Child Labour	Family members, guardians	Physical Deformation, exhaustion, reduced levels of curiosity/inquisitiveness
Child Kidnapping	Kidnappers, terrorists and bandits.	Behavioral and Psychological Issues
Child Rituals	Ritualists, family members, Neighbors, strangers and unknown persons.	Death of child, psychological and behavioral issues. Unwanted Pregnancy and pregnancy related complications, HIV, psychological and behavioral problems.
Child Rape	Family members, neighbors, strangers and unknown persons.	

Why Crimes against Children Persist

The varied forms of crimes against children are a product of a complex interactive process. Going by this 'ecological' violence against children is seen as an interaction bo as to enable the children

to freely expressed themselves. Between protective and risk factors in four dimensions; community dimension, societal dimension and family dimension (Bethea, 1999, Hay & Jones, 1994; Tolan et al, 2006). The World Report on Violence and Health, WHO (2007) recommended the 'ecological model' for elucidating risk factors of violence.

According to WHO (2022), poverty has been described as the most prominent risk factor for crimes against children. According to Aliyu (2006) the Nigerian child is the direct recipient of poverty in a family. In such a situation, these children are forced to cater for both themselves and other members of the family and as such they get involved in child labour which gets directly in the way of their educational pursuits.

The children from a dysfunctional family or broken home are prone to neglect and lack of care, these family spats often time leads to divorce or separation in most cases, leaving the children with little or no care or attention. Such children are now forced to fend for themselves making them to resort to child labour. In a situation where children get to lose their parents, they are also forced to engage in child labour as a result of their pressing needs.

Due to the high level of illiteracy in Northern Nigeria, unhealthy child bearing practices are adopted by families in this region, leading to larger families with little or no plan for the future of these children, which eventually resorts to them taking the option of trafficking their children (Umar, 2006). Parents in such regions have very little or no education while their children attend schools where they learn little or nothing. The resultant effect of this is that, both parties are easily deceived by the false stories of how life is easy in Saudi Arabia and the European world (Imam, 2010). The resultant effect of their level of illiteracy is that they traffic their children to foreign lands.

Consequences of Crimes on Children

Both the sexual and non-sexual forms of crimes against children have consequences on the child and the society at large. These consequences are however very significant. On the children, these crimes are upsetting and have lasting effects and it has widespread effects on our society (Kraizer 1996). Crimes against children lead to depression, behavioral problems, anxiety and issues in school. Child abuse places an experimental restraint on children. In a situation where a child is scared of experimenting with new ideas because of the possibility of it resulting to a violent attack or as a result the actions of an abusive and over-protective parent making the child to lose his or her level of inquisitiveness and will thus end up being inquisitive, making impossible for such a child to attain his or her intellectual potential (Miller, 2000). It is also known to lead to chronic pain syndrome, irritable bowel syndrome, posttraumatic stress disorder, chronic fatigue syndrome and eating disorders. Children that have a history of abuse, as adults usually suffer from poor health and get to engage in risky behaviors such as drug abuse, smoking, alcohol use and engaging in unprotected and illicit sex (Tazima, 2000; WHO, 2000).

Unwanted pregnancy is one of the main consequences of child trafficking in Nigeria; these young ladies are often taken advantage of resulting in pregnancy. On returning back home, they are often victimized or stigmatized by their families and members of their community, resulting to financial hardship on the parts of their mothers. Such babies stand a very high chance of being abandoned or even killed by their mothers. In certain cases, such babies are sold out for as low as N150, 000 to N200, 000.

Trafficking has numerous psychological consequences on the child, examples being personality disorders, stress, public stigmatization, alienation and isolation by members of the family (Togunde & Carter, 2008).

Child marriage amongst other things is known to lead to early pregnancies which have the risk of morbidity and maternal mortality. The practice of child marriages is the leading causes of vesicular fistula (VVF), which creates a recurrent escape of urine and faeces, thus producing holes between the vagina and bladder, resulting to social ostracization by their spouses (Uche, 2010).

Government Efforts to Protect Children's Educational Rights

Apart from the ratification of Conventions relating to violence against the child, the Nigerian government has also established Child Rights Implementation and Monitoring Committees, at both national and sub-national levels, created Presidential Committee on Human Trafficking, created rehabilitation centres for children who are victims of sexual abuse, embarked on studies on the sexual exploitation of children in partnership with development partners. It has also in

partnership with the Federal Ministry of Women Affairs ran sensitization seminars for directors of the Child Development Departments to analyze and harmonize efforts to confront child trafficking and the dissemination of the Convention on the Rights of the Child which has been translated to Nigerian languages (FMWA, 2004).

The Nigerian government has recognized the relevance of girls' right to education, thus the ratification and domestication of several International Human Rights Instruments. The international, regional and local instruments clearly stated that it is the responsibility of the state to make provision for the primary and secondary education of children. Section 15 (1) of the Education (National Minimum Standard and Establishment of Institutions) Act was passed to make the necessary infrastructural base provisions for the education of the child. Other provisions by the Nigerian government include the National Examination Council (NECO) Act, the Compulsory Free and Universal Basic Education Act and the West African Examination Council (WAEC).

A country that fails to provide basic primary education to children is infringing the fundamental human rights of the citizens of such a country. This is reaffirmed by the National Policy on Education which states that:

"Basic education covers nine years of formal (compulsory) schooling consisting of six years of primary and three years of junior secondary. Just one-third of children who begin basic education currently proceed to senior secondary school" (NBS, 2016).

The Legal Protection of Children's Educational Rights

According to Section 18 of the 1999 Constitution, every Nigerian child should be provided with free and compulsory education, from the primary level to the tertiary level. (CFRN, 1999). 999).

Child Rights Act

It is the responsibility of the government of such countries to create educational opportunities and check the factors militating against the successful administration of education.

Children's right to education in Nigeria are legally provided for in the following;

The 1999 Constitution of the Federal Republic of Nigeria

According to Section 18 of the 1999 Constitution, every Nigerian child should be provided with free and compulsory education, from the primary level to the tertiary level (CFRN, 1999). Unfortunately, this constitutional provisions is impeded by the different crimes that are perpetrated against children in Nigeria,

Regional Laws

According to Article 21(2) of the African Charter on the Rights and Welfare of the Child (1999); "Child marriage and the betrothal of girls and boys shall be prohibited and effective action, including legislation, shall be taken to specify the minimum age of marriage to be 18 years and make registration of all marriages in an official registry compulsory".

Article 11(1) provides that each and every child shall have the right to education; while Article

United Nations Convention on the Rights of the Child (UNCRC)

The Convention on the Rights of the Child which was first implemented on November 20th 1989 is the first international instrument that caters for a broad range of human rights issues regarding children. As a result of the broad range of children rights protected by the CRC, it is regarded as an all-inclusive charter of the rights of a child (Woodhouse, 2008). However, there are arguments that this is not the case as it does not contain a clear cut provision on the child marriage (Askari, 1998). The former President of the United Nations General Assembly, Joseph N. Garba is reported to have stated that "the adoption of the Convention, the Rights of the Child has gone from a declaration of purpose into what will become a binding piece of international legislation" (CRC, 1989).

In Nigeria, the Child's Rights Act was adopted in 2003 and this gave legal consent to both the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child through ratification by the National Assembly. The activities of the state legal authorities, and the state should always be in the overall interest of the child. In the course

of drafting legislative rulings and administrative measures, the general well-being of the child should be put into consideration (CRC, 1989).

Article 28 of the CRC, which urges states to "recognize the right of the child to education ... encourage the development of different forms of education....Make primary education compulsory and available free to all and take measures to encourage regular attendance at schools and ensure the reduction of dropout rates". In addition, Article 24 of the CRC urges Nigeria to recognize and ensure that every child enjoys the highest attainable standards of health and provide them with facilities for the treatment and rehabilitation of health.

Furthermore, Article 19 of the Convention of Rights of the Child states that

"States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child" (CRC, 1989).

Article 5 of the CRC (1989) states that

"Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention". (CRC, 1989).

It is obvious that there are laws that provide for the protection of educational rights of children in Nigeria and certainly, the treated crimes in this study infringes on those rights.

Conclusion and Recommendation

It is recommended that both the state and family should ensure that mechanisms that will protect children from criminal acts which specifically hinder the educational rights are put in place since there are laws that already guarantee these Rights. More so, the Nigeria Armed Forces should ensure that adequate security is provided in schools so that terrorists and bandits will not overpower the students and thereafter, rape, maim, kidnap or kill them as it is presently happening. There should be efficient counseling services in schools while strong partnerships should be built between schools, relevant ministries and Non-Governmental Organizations to put into effect prevention strategies on child abuse and violence. Improved legal treatment should be given to juveniles and victims of child abuse/violence. Poverty is a major factor that results in crimes against the child, it is therefore imperative that the government carry out poverty alleviation programmes, provide the much needed basic amenities, such as water, security, education and health facilities. Perpetrators of crimes against children needs to be brought to justice irrespective of their status in the society.

As we draw conclusions on this study, sexual and non-sexual forms of offences that impedes children's educational rights are still rampant in our society, making children vulnerable to physical and moral forms of insecurity. Therefore, apart from the provisions of the relevant laws, parents, relatives, religious and cultural institutions and the society at large must make conscious efforts to minimize crimes that deeply hinders the rights of Nigerian children to their educational career which in turn, affects the level of development of the country.

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