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Street Trading, Human Rights and Health Issues: A Study of Young Girls in Nigeria

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Abstract

The social practice of street trading now a problem is growing in Nigeria and it is attracting official attention. This cancerous social problem spreading to the urban cities in Nigeria has amongst its victims, children from ages seven and sometimes lower, hawking all kinds of items on and along major busy roads in Nigeria. Such children risk their lives and health, face vehicular and other dangers and constitute obstructions to vehicles.

This paper identified poverty as the major cause of street trading. Other causes discussed include social causes such as the break down in the social institution like the family and school and political causes.

The health implications discussed are sexual abuse, drug abuse and dependence, tiredness and fatigue, bad and unhygienic eating habits and vehicular accidents. The Human Right Implications include child exploitation, neglect and abuse.

Finally, solutions proffered include legislative evaluation, publicity and awareness campaigns of the dangers of street trading and the introduction of relevant educational policies.

Introduction

The social practice known as street trading is growing in Nigeria as in the rest of the world. This practice especially by children is attracting official attention. The concept of childhood as a social principle emerged around the sixteenth century. Before that time, children of six and seven years of age were not regarded as fundamentally different from adults, though it was recognised that they were younger than adults. Children labour,

their rights and way of dressing were exactly the same as adults. Events in recent times reveal that more special care and attention is being given to them.

It is difficult to say when exactly street trading practices started amongst the children in Nigeria. There is no doubt that initially a few of them were found on the streets and not long thereafter their presence became conspicuous, then a menace, now a cancerous social problem spreading to the urban cities in Nigeria. Children from ages seven and sometimes lower are found on and along busy and major roads hawking all kinds of items, risking their lives and health, facing vehicular and other dangers and constituting obstruction to vehicles. If these are problems being faced by these young street traders, who are these young hawkers on the street and why are they increasing in number on the Nigerian streets everyday? These questions are answered in the paper by considering the causes, problems, health and human rights implications of street trading practices amongst young girls in Nigeria because of the peculiar situation they find themselves in a biased society and the vulnerability as a result of their God made physiology. Possible solutions are discussed.

Background Characteristics

There has been different studies on street trading practices amongst children in Nigeria. The driving force behind their presence on the streets may be properly understood from the characteristics.

The sex of the children engaged in street trading reveals that both boys and girls are involved. Studies by Ebigbo and Izuora (1985), showed no gender difference. Some other studies show a slight difference of more girls than boys.

The age range according to Oloko (1989) and Ebigbo and Abaga (1990), is between seven and nineteen although Oyorrough (1986), has recorded that the age fell to between five and fourteen in the case of Benin.

On the schooling pattern of these children, the educational system appears to have encouraged this practice. In some urban schools, due to the large number of registered pupils and other factors, the shift system of morning and afternoon schooling was introduced. This made it

convenient for some children to combine street trading with schooling. Such children on the morning shift move from the school to hawk on the streets sometimes in their school uniform while others move from the street where they have been since morning to the afternoon shift of the school.

It is generally observed that a large percentage of the children are enrolled in school. Vinolia and Fubara (1986), observed that out of 1047 children, 18.5 per cent engaged in street trading were not in school. In a related study they discovered that out of the 1079 children enrolled in school, a high percentage of those enrolled in school engaged in street schooling. This suggests that street trading has not substituted for schooling.

The activities of young street traders consist mainly of displaying and selling goods along the street, hawking in markets motor parks and along the streets and recently on highways. It involves moving alongside moving vehicles with their male counterpart; running after fast moving vehicles to convince passengers to buy their wares or collect their money and it involves avoiding being crushed by dangerous drivers. Street trading is a cruel, hazardous work for any child especially the female child who is prone to more dangers than the male counterpart.

The activities are such that they can be murdered by competitors, in the extreme, kidnapped, assaulted in various ways and even arrested by law enforcement agents. It is observed that some of the girls tended to do more of their selling at the sides of the road while the older and daring ones struggled along side the moving vehicles, with their male counterpart.

The sources of supplies of the wares of the young street traders are many. It was revealed through sampling that items for sale are sometimes from family sources or external suppliers who are usually business men and women who provide some small credit facilities for the children or employ them as commission agents. In the latter case, at the end of the business day, accounts are rendered by the child-trader to the supplier who, after taking the cost price, pays the child some agreed sum of money as commission. In case where supplies are from relatives such children trader use the money realized to augment family income.

The attitude of the parents and relatives of the young street traders is important in order to understand this practice. Alemika (1995), stated that from a sample, of about 5439 of general parents, 26.5 per cent (1452) were in support of children working and earning money for the family, 28.1 per cent about 1539 people in the sampled endorsed children working and earning money for themselves and 43.2 per cent (2368) did not support children working at all. Alemika (1995), stated that out of a sample of 461 parents of working children, 98.5 per cent of them said they send their children who are younger than 18 years to work for money, 39.3 per cent (118) said they had one child working, 32.2 per cent (153) had two and 13.0 per cent (60) and another 13.0 per cent (60) had three and four children respectively, in job earning businesses. Alemika (1995), also revealed that street trading forms the second largest form of child labour the first being apprenticeship.

Another area necessary to consider is the family background. This is relevant in finding out the problems and finding solutions to them. This is an indicator that may affect the health and rights of such children. Though it is a rough indicator, it shows a readiness and willingness of the parents to send the children to work not considering the implications. According to a UNICEF report (1997:40), children who work on the streets often come from slums and squatter settlements where precarious family situation with poverty are common. This indicates as in Nigeria that majority of the parents of young street traders are in the informal sector, under privileged and low income earners. Okpara (1986), found that most of the juvenile hawkers were from poor families and the children lacked adequate educational and recreational facilities. With the foregoing details of the characteristics of the young traders, it is necessary to discuss the causes.

Poverty has been identified as a major factor in juvenile trading. Okpara (1986), reporting on juvenile hawkers in eastern Nigeria said that 60 per cent of the respondents reported lack of money as the reason for their involvement in hawking. It is then obvious that this present practice of child neglect by abandoning children to their fate in the street to fend for themselves or the family, a departure from the traditional view that Africans place high value on children, is linked with the economic factor. The glaring pitiful level of the Nigerian economy is signified by the fact

that children that should be protected and provided for, have to earn a living for themselves and augment family resources. Okpara (1986), further described street trading by children, a form of child labour, as a phenomenon hindering the harmonious physical and mental development of the child and an index of poverty, needness, subsistence living or general deprivation. He went on to say that

'the most pressing reason for any child to work or be compelled to work is the need to reduce to the greatest extent possible the poverty in which he is living thus to help him to satisfy his basic needs.'

The above fact was corroborated by Ebigbo and Izuora (1985), based on the study of child labour in Enugu market. They stated that children laboured mainly to pay their school fees and to fend for themselves. The economic factor as a cause of street trading practice amongst young persons, especially young girls, appears to be a great motivation from the results of many studies on this problem. According to a UNICEF research findings, approximately ten million children in Nigeria are helping their families to survive. They live in poor families and the children do such jobs as hawking "ready to eat food". Oloko (1986), said that many young people in especially Yoruba states earn their livelihood by street trading. He claimed that it is known that the profits which girls from the northern states make during street trading is used as dowry and not spent on the family.

Another cause of street trading practice is the social factor. There is apparently a break down of stabilizing social institutions like the family and schools. The changing role and status of women who in the past years stayed in the home most hours supervising the children has disappeared with educational, urbanisation and the notion of empowerment. This gives more room to children who are deprived, frustrated because of the economic condition around and restless, to be involved in what can be referred to as quick money making ventures on the streets.

The Nigerian educational system today is grinding to a halt. In terms of quality and quantity, there is lowered standard and the quantity is not impressive. The provisions of classrooms and other essential buildings, books, laboratory equipment and supply of teachers is facing

some crisis with serious implications, such as the infringement of the right of the child to good quality education. The quality of education in the early years of independence and during the oil boom in Nigeria cannot be compared with the quality of education today. It is to be recalled with nostalgia that the quality of instructions, the morale of the teachers and the discipline of students compared with what is being observed today. The teachers were more contented and committed, the students more disciplined and materials were available. In present times, teachers lack motivation and commitment to their duties, display low morale on the job and are easily distracted by their own business which is used to supplement their meagre salary. The high cost of education coupled with economic situation in the country, is imposing on the parent, a financial burden in the course of educating children.

Another aspect of the social problem, is the irrelevance of the educational policy to the social and economic growth which these children can identify with. A pilot survey sponsored by United Nations Educational Scientific and Cultural Organization UNESCO and UNICEF, and carried out in 1994 in fourteen of the world's least developed countries reinforced concerns about the actual conditions of primary schools. UNICEF (1997). It was found that education in most developed countries is too rigid, uninspiring in approach, promoting a curriculum that is irrelevant to and remote from children's lives, (UNICEF 1997:29). The above problem has in some cases led to boredom and restlessness of children.

The political factor is another cause that should be examined. The introduction of the structural adjustment programme (SAP), into Nigeria was meant to achieve certain objectives but it failed. The pinch of belt tightening was felt more by the masses, the lofty programmes of different governments were disrupted by frequent power successions and the resources were not properly utilized. More of the expenditure went into other areas considered more important than education and health. There is no doubt that any policy or programme which emphasizes the shifting of resources away from service sectors like health and education to other sectors is self defeating. With this discussion above, there are certain implications which will be considered from the human right and health angles.

Health Issues Arising from Street Trading Practices

With the characteristics and activities of young street traders in Nigeria especially the young girls coupled with the causes, the following are likely issues relating to the health of such young girls may suffer physical, psychological and sexual hazards which are all health related. Female hawkers in Nigeria are vulnerable to sexual abuse, which is any sexually motivated act upon or with a child. The exploitation of these young traders cannot be overlooked if it can be stated that poverty is a cause that led them to the street. Ebigbo and Abaga (1990), found that some of the girls seduced in some parts of Enugu were abused by students of the university near where the girls were hawking. Sadly, these girls did not see anything wrong but considered it an elevation of their status.

Vinolia and Fubara (1996), found that 13.3 per cent of the respondents had been sexually abused by adults, while 43.3 per cent reported that they had been solicited for sex. Coupled with this issue of sexual abuse is the problem of unwanted pregnancy, abortion and the deadly diseases known as the Acquired Immune Deficiency Syndrome (AIDS). The problem of abortion usually carried out by a quack doctor exposes these girls to infection which may result in infertility or death (Makinwa, 1981). Many of these young female hawkers do not have the means of protecting themselves from infections especially when literature shows that sexual exploitation is an implied working condition of this trade. According to Grange (1990), research has shown that in Nigeria girls younger than fifteen are four to eight times more likely to die during pregnancy and child birth than women aged between fifteen and nineteen.

Another health related issue is that of tiredness and fatigue. This is expected after roaming the streets for several hours, running after vehicles, dodging fast and dangerous drivers, repeatedly talking and advertising their wares in a bid to convince customers to buy. This is in addition to distracted thoughts, calculation of money and anxiety of escaping from law enforcement agents. The activities of street trading consume the time and sap the energy of the children resulting in lack of concentration and consequently poor academic performance, Ekwe (1982).

Drug usage, abuse and dependence is another issue related to the health of the young female hawkers. According to Odejide (1990), it sued to be thought that the use of drug was found predominantly amongst

the males but recent studies show a change in the pattern of usage with increasing number of females joining in drug use. The environment is more than the physical or the natural. It includes the surrounding condition which influences growth and development. The type of environment these young girls and boys are exposed to is conducive to drug taking. It is an environment which is perverse, replete with moral decadence based on negative habits such as drug and alcohol, dependence, especially the native gin known as *ogogoro* which is sold in virtually all motor parks and markets. These children are prone to the use because of experimentation and youthful exuberance a association with their age.

Social interaction takes place in the streets where working children carry out most of their activities. The street constitutes a place of permanent insecurity since the children do not know whom they will meet or how a customer will behave.

Other health related issues include bad and unhygienic eating habits which could be fatal. The issue of accidents caused by being knocked down by vehicles cannot be ruled out especially on the highway where these young girls practice their trade. Concerning the health of these young females, it is the adult who must invest in children so that they can develop into resourceful adults. The insecurity and uncertainty are potential threats to the children traders' psychological make-up and may lead to psychiatric health problems (Makinwa, 1981). According to Grange (1990), in a brief description of the processes of the normal physical, emotional and intellectual development of a healthy child from conception until the age of sixteen, said that from the age of seven years, the child begins to make sue of various abstract concepts and gradually resort to logic as the basis for explanation of events and environmental phenomena. It is unfortunate that it is at this stage that children are forced into the street to fend for themselves and the family.

Generally the health hazards these young girls face, are summed up by Ekwe (1986) when he said that these child hawkers are vulnerable to sexual molestation, vehicular accidents which can lead to permanent disability or death and enlistment into delinquent values and careers. Good health is particularly important in the school age years because it contributes to learning capacity and to the long term empowerment of children so that they can take responsibility for their own health and welfare.

Human Right Issues

Street trading by young girls is a type of employment. A child or young person who works for an employer is deemed employed whether he is paid wages or not (Slade, 1978). There are duties and obligations under customary law, common law and under the statute on parents to protect their children. This obligation shifts as they grow older. This is what Blackstone referred to as the national duty. Customary law imposes on parents, the duty to protect the young ones. This is an instinct inherent in parents in all societies. Under common law, education falls within the moral and not legal obligation. Parents were not legally compelled to educate their children but enlightened parents send their children to school. This position was seen as a clog in the wheel of progress and legislation came to rescue and modify it (Elementary Education Act 1870; 1876).

In Nigeria, there are statutory duties on parents to protect children against mental and physical injury. In Eastern Nigeria, the children and young persons law (cap 19) and children and young persons law, of Northern Nigeria (Cap 21) generally provide parents must make sure that they do not expose the child to any assault, ill-treatment or abandon the child in such a way that the child is likely to suffer unnecessarily.

The Criminal Code Act (Cap 17) and the Penal Code Act (Cap 89) which contain the penal laws in Nigeria takes into consideration the special nature of the child. Section 300 of the Criminal Code makes it an offence against a parent where a child dies due to neglect stemming from recklessness or carelessness (R.V. Macdonald 1904). Section 301 imposes a duty on parents to provide food, clothing, lodging and medical attention for the child and under section 341, the parent(s) is liable for exposing or abandoning a child if any grievous harm is caused to such a child.

At the international level, certain instruments take into consideration the peculiar nature of the child. The Universal Declaration of Human Right (1986) provides that 'motherhood and childhood are entitled to special care and assistance. All children shall... enjoy the same social protection'. A child cannot enjoy all rights such as political rights but can enjoy some civil rights. The child is entitled to certain economic, social and cultural rights.

At the regional level, an instrument that is relevant to the right of the child is the African Charter on the Rights and Welfare of the Child (1979). This Charter takes into consideration the peculiar nature and continental perspective of the African child. It incorporates the African Charter on Human and People's Rights and the United Nations Convention on the Rights of the child. In Article V, a child has a right to life, protection and development, in Article XII, a right to rest and leisure, in Article XIV, to enjoy the best of physical, mental and health. Furthermore in Article XV, a child is protected from economic exploitation and in Article XX, parents have a responsibility to ensure that the best interest of the child is their consideration at all time. A child is protected from all forms of sexual exploitation and abuse in Article XXVII and from the use of drugs in Article XXVIII.

Realising that the child needs special safeguards and care because of the physical and mental immaturity, the convention on the Rights of the Child (1990), has put into place rights and freedom that the child should enjoy. Of particular relevance are Article 24 which gives a child a right to enjoy the highest attainable standard of health and Article 32 gives a right to protection from economic exploitation and from work hazardous and likely to interfere with the total development of the child. Article 34 provides that state parties are to protect the child from all forms of sexual abuse. The effects of street trading practices amongst the young girls are infringements of the child's right. In addition to all these, in Nigeria, employment and labour is guided by the labour Act (1990).

In a number of states in Nigeria, there are legislations that prohibit street trading and hawking generally. In Lagos, the Lagos State Street Trading and Illegal Markets (Prohibition) Edict prohibits generally all persons from selling any good, wares, articles or thing whether or not from a stationary position, in specified streets and places or within the vicinity of public buildings in the state. Some states in Nigeria have similar laws. From observation, this law is not obeyed neither is it enforced.

This paper has discussed the characteristics of street hawkers, especially, the female, the causes, and the human right and health implications arising from the practice. It is clear that there is a serious threat on the lives of the female hawkers which, if not promptly,

addressed will affect the future of our children who are leaders of tomorrow. According to Aminu (1998), at the inauguration ceremony of a foundation for young women, he said he is looking forward to the emergence in the twenty first century of a well educated female, successful marketable twenty first century women. This paper therefore proffers some solutions.

1. **Present Legislation Evaluation:** There are in place legislations and instruments which address the issue of street trading. It is recommended that these existing legislations should be evaluated and strengthened.
2. **Enforcement of Legislation:** The issue of enforcement is a problem in Nigeria. The laws in existence should be enforced by the appropriate enforcement agencies. The Nigeria police have a center known as the police juvenile welfare centre in he state police command and the center is saddled with the enforcement of laws relating to children. Unfortunately this centre according to Iyamabo (1995), due to some constraints beyond the Nigeria police force, does not seem to make the desired impact. This was linked to the national economic recession in the country resulting in decline in financial grants to the force.
3. **Publicity and Awareness Campaigns:** The government, the media and non governmental organizations (NGO's) should take steps to inform children, parents, employers and others of the danger of street trading amongst young girls. This campaign can be through churches, mosques and schools. This can be done through drama sketches and jingles on television, radio and town cries in the rural areas. The work being done by many NGO's in Nigeria on this issue is commendable. New efforts are being made everyday to eradicate this problem. Recently a new foundation, Pearl Foundation for young women was established which is geared towards the development of the Nigerian girls. This foundation according to Tell (1998: 7) is premised on the realization that the female child, youth and adult are integral factors for effective growth in the society.

4. **Introduction of Relevant Educational Policy:** This is very important to accommodate the child on the street by arranging with employers for lesson time. This is currently being done in Africa, Asia, Latin America and the Caribbean: In Nairobi, it is known that the Undugu society offers education for working and street children in four low-income settlements using regular school facilities with a modified curriculum and flexible hours to suit working children's needs.
5. **Health Solutions:** Health intervention aimed at school age children using the school as the intervention point can be a cost effective means of using scarce public health resources.

Conclusion

The Nigerian child has a bundle of rights and privileges. These, derived from national laws and international instruments are meant to provide for the total development of the child. As we step into the second millennium, street trading by females, a hazardous practice must be left behind, consigned to history as completely as those other forms of slavery that it so closely resembles.

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