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CHILD MARRIAGES AND UNDERAGED VOTING IN NIGERIA - A CHALLENGE TO THE CHILD RIGHTS ACT 2003

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ABSTRACT

In 2003, during the presidency of Olusegun Obasanjo, Nigeria adopted the Child Rights Act towards domesticating the United Nations Convention on the Rights of the Child and the African Charter on the Rights and Welfare of the Child. However, since then, the rights of Nigerian children continue to be abused through forced and early marriages, female genital mutilation, unlawful involvement in elections and street begging. In these cases, the children are coerced to act against their wills. They are either too naive or too poor to resist the pull of hunger or the oppression by their handlers. In their precarious situations, it is expected that those in positions of authority, ought to give voice to the children. This is yet to be done. Using the methodology of narrative analysis, this research identifies the challenges and oppressive conditions faced by Nigerian children and to proffer solutions against the anomalies. This method easily narrate, interpret and analyze the two mentioned aspects of child abuses in Nigeria. This creates the path towards providing valuable insights into the complexities of the problems. The interpretive power of this method lies in its ability to capture and review existing literatures, towards arriving at conclusions and recommendations. This narrative review draw its literature sources from published reports and other documentations. It concludes that the use of children as voters and as products of early marriages in Nigeria deserves the urgent attention needed to stop the anomaly. It recommends that the office of the Attorney General of Nigeria must take concrete actions towards ensuring that the Children`s Rights Act is implemented in all states of the federation; it recommends further that officials of the electoral commission who register children to collect voter`s cards must be prosecuted and that all Nigerian states must urgently act to incorporate, execute and align existing laws with the provisions of the Child Rights Act.

KEYWORDS: Child Marriage, Elections, Child Rights Act, Nigeria, Under-aged, Voters

INTRODUCTION

Children play a vital role in the continuing development of any country. This is because they hold the promise of a future generation. Sadly, when children are supposed to be guided and guarded towards the dreams of the future, they are often neglected in developing countries against the rule of law.

The United Nations General Assembly adopted the Convention on the Rights of the Child (UNCRC) on 20 November 1989 at the 30th anniversary of its Declaration of the Rights of the Child and it came into force on 2 September 1990 (United Nations, 2020) after ratification by the required number of nations. As of May 2024, 196 countries are signed parties to it, including every member of the United Nations - except the United States of America. The convention sets out the civil, political, economic, social, health and cultural rights of children and defines a child as any human being under the age of eighteen, unless the age of majority is attained earlier under national legislation.

The country's constitution states that for an international law to take effect, Nigeria's legislature must create a national version. The precarious situation of the Nigerian child needs to be examined. Their situation has been reflected in how they are being abandoned to fend for themselves, coerced into early marriage, used for child labour, street beggars and underaged voters. With an estimated population of 250 million, Nigeria prides itself as the largest population and economy in Africa with 110 million children (UNICEF, 2023). In this number, there are at least 10.9m out of school; 2.2m internally displaced and 8.3 children in need of humanitarian assistance (Street Child, 2023). This has been worsened by the fact that some of the children have been orphaned through the terrorist activities of terrorists especially in the northern parts of the country. Some of the children in this region have also been conscripted by terrorist gangs. Instead of taking responsibility of these children, the young girls who are mostly under-aged, are forced into early marriages while those who have become street beggars are deported to their original states with little or no preparation for their well being and reintegration. For example, during the covid-19 pandemic, children were deported across the northern states to other northern states which were considered as the children`s states of origin. *It was probably one of the biggest ever state organised mass movements of minors in Africa's most-populous state...* (BBC, 2020). In 2024, the number of young girls that were married to strangers in Niger and Zamfara states reached 205. When Uju Kennedy-Ohanenye, the minister of women`s affairs, tried to intervene through court actions, she was forced to withdraw the case which was allegedly as a result of threats against her. She later stated that *I did not intend to stop the marriage but to ensure the girls are of marriageable age and were not being forced into it* (BBC, 2024).

In other cases, children were lured into registration for voter`s cards and eventually voting ignorantly during elections. Underaged marriages are usually connected with religion, traditional practices, family poverty and poor parenting. In the absence of good parenting, the government should be responsible for taking care of the children.
Boys have also married in childhood. They face various biological and social problems because they end up taking responsibilities that are too big for them. The early fatherhood and its economic pressures are excruciating physically and mentally because they could never have been prepared for such roles and the economic pressure that comes with providing for the household. Furthering their academic career becomes almost impossible. Globally, 115 million boys and men were married before age 18. The countries in which child marriage among boys is most common are geographically diverse and differ from the countries in which the practice is most common among girls. While child grooms are less numerous than child brides, they have similarly experienced a rights violation that cuts short their childhood (UNICEF, 2024).

Sadly, no punishments are usually meted out against the people involved in these marital and electoral transactions where the girls are mostly treated as commodities.
In reality, with the laws set aside, who takes full responsibility for the well-being of the Nigerian child? It is against the foregoing that this paper examines the problems and proffer some recommendations.

LITERATURE REVIEW

Various positions have been expressed concerning child marriage and voting. There is a relationship between poverty and marriage timing and this may depend in part, on the nature of the marriage market in each setting (Corno, Hildebrandt and Voena., 2020). In Nigeria, some state governments sponsor mass marriages which leave the couples in economic difficulties after the fanfare. The mass marriages conducted by the governments of Zamfara and Niger states in 2024 as elaborated below, are ready examples. On the other hand, this condition of

poverty, is also applicable to child voters who present themselves to be registered and to cast their votes. For doing this, they could be paid as little as the cost of a plate of food.
Primary consideration has not been adequately given to Nigerian children. By exposing them to participate in elections which mostly turn violent, their rights are been abused. While they are supposed to be in school, they are either on the streets, participating in elections or forced into early marriages. According to PART I section 1 of the Children`s Rights Act of Nigeria 2003, *in every action concerning a child, whether undertaken by an individual, public or private body, institutions or service, court of law, or administrative or legislative authority, the best interest of the child shall be the primary consideration*. Section 15 requires that e*very child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education.* The irony is that as of 2024, data from the United Nations Education Scientific and Cultural Organisation, UNESCO, shows that 20.2 million children are out of school in Nigeria. The United Nations Children's Fund (UNICEF), further explains that one out of three children in Nigeria is out of school. The report suggests that Nigeria is home to one in five out-of-school in the world (Vanguard, 2024).

Underaged marriages are more prevalent in northern Nigeria. This is because the Islamic law permits that girls can get married as low as when they are 12 years (Braimah, 2014). The tradition contradicts PART III section 21 of the Children Rights Act which states that *no person under the age of 18 years is capable of contracting a valid marriage, and accordingly a marriage so contracted is null and void and of no effect whatsoever.* Section 23 further states that *a* person- *(a) who marries a child; or (b) to whom a child is betrothed; or (c) who promotes the marriage of a child; or (d) who betroths a child, commits an offence and is liable on conviction to a fine of N500,000; or imprisonment for a term of five years or to both such fine and imprisonment.* The irony is that these punishments are rarely applied.
It has also be opined that the lack of labour market opportunities for women, especially those requiring academic skills, may reinforce marriage as the only viable pathway for girls and their families, even when the cost of education is minimal (Petroni, Steinhaus and Fenn, 2017).
Inadequate utilisation of maternal health care has been argued as a reason for poor fertility outcomes of women who married as children (Godha et al., 2013; Nasrullah et al., 2013). This study shows that due to their childish ignorance and lack of guidance, girls forced into early marriage are not aware of what to do when they get pregnant. In agreement with this position, record shows that as of 2023, Nigeria became the second highest among countries with a high number of maternal deaths in the world. Nigeria accounts for 29 per cent of the global toll in 290,000 maternal deaths cases every year and may miss the SDG target by 2030. The country also ranked highest globally in incidences of neonatal and child deaths (Vanguard, 2023). In order to assuage child marriages, actions must be taken on girl-focused empowerment programming, which can be effective when implemented in tandem with more multi-pronged approaches (Chae and Ngo, 2017).

The use of children during elections is borne out of the desperation by politicians to produce huge figures from their regions. In most cases, this desperation for power stems from the desire of people in certain regions, to produce the person that will hold the highest office either as president or governor. With such ethnic considerations, they believe that the person from their region will attract the needed dividends of democracy. However, experience has shown that no region in Nigeria has developed more than the other because they produced the president. For example, after staying in office for eight years as president of Nigeria, Muhammadu Buhari could not reduce terrorism and poverty from Katsina which is his home state. By the time he left office in 2023, it was reported that a total of 6.96 million people are multidimensionally

poor in Katsina and this figure represents about 72.7 percent of the total population of the state (African Health Report, 2023).

THEORETICAL FRAMEWORK

- This research is hinged on the framework of Marxist conflict theory of Karl Marx ( ). It sees society as divided along lines of economic class between the proletarian working class and the bourgeois ruling class.
- Conflict theory views social and economic institutions as tools in the struggle among groups or classes, used to maintain inequality and the dominance of the ruling class.

. Early child marriage and voting generally highlights how coercion and cultural politics are used within social classes for the possession of undue power. The use of children in forced marriages and voting, is consequent on their poor economic conditions and their vulnerability in the class struggle. This theoretical framework is apt for this paper because it provides the background that makes it easy to examine the ways the economy and societal insecurity seizes and gives power to the `fittest`. Due to the vulnerability of children, their rights are taken away and they are invariably treated as the commodities needed to maintain inequality. The wealth and income disparities within some communities in Nigeria informs this oppressive tendencies. This is further worsened when the government that is supposed to provide security and welfare, fail in its responsibilities. The social and political structures in Nigerian communities provide the backdrop upon which this research find its context. Furthermore, the conflict theory offer an understanding of how wealth, poverty and power disparities contribute to conflict of interest and social tension.

METHODOLOGY

The narrative analysis method has been used in this paper in order to easily narrate, interpret and analyze the two mentioned aspects of child abuses in Nigeria. This creates the path towards providing valuable insights into the complexities of the problems. The interpretive power of this method lies in its ability to capture and review existing literatures, towards arriving at conclusions and recommendations.

The sources for this research were drawn from books, journals and internet materials- especially from newspapers which gave updates on information that are yet to be academically published or deeply analysed.

The research is structured into four parts. The first part is an introduction to the background of the work. This is followed by the second part which examines the challenges of child marriages and under-aged voting in Nigeria. The third part concludes the paper and ends with recommendations in the fourth part.

Among the 24 parts of the Child Rights Act (2003), the context of this research will focus on the encompassing Part I (1) which states that *in every action concerning a child, whether undertaken by an individual, public or private body, institutions or-service, court of law, or administrative or legislative authority, the best interest of the child shall be the primary consideration.*

UNDER-AGED MARRIAGES

When young girls are coerced into marriage at a very early stage, they are subjected to indignity and gross violation of their human rights. Their situation is a reflection of the neglect by the government which ought to protect them. The deep and lasting impacts which Child marriage has on girls is an experience that is carried throughout life. Their situation prevents them from participating in decisions that concern their lives. It also truncates their education, exposes

them to psychological, domestic violence and various forms of discrimination in participating in political, economic and social life. They are seen as transferred commodities and the best interest of the child has no primary consideration. It has been reported that *four out of every ten girls in Nigeria are married before the age of Eighteen...with 44% of girls married before the age of 18, totaling over 24 million child brides and ranking third globally. Although recent data suggests a decline in national prevalence from 44% to 30%, progress has been slow and uneven, particularly affecting the poorest households, rural areas, and girls with little or no education* (UNICEF, 2024).

Early marriages are common among the North-West Region of Nigeria with cases in the South-South on the rise as well (
Agege, Nwosu, Nwajei, Odoko, Moyegbone, Igumbor, 2020). Several instances of child marriages abound. Ahmad Sani Yerima, a former Zamfara State governor who later became a Nigerian senator, married a 13-year old Egyptian girl in 2010 - though he argued that the girl was between 14 and 15 years old. In any case, the girl was less than 18 years as stipulated by law. It was expected that as a senator, Yerima ought to have known the law better. Rather, he argued that former president Olusegun Obasanjo tried to "*to smuggle the Child Rights Act ... He passed it at the National Assembly through some manipulations but I don't think any state in the North domesticated it and passed it ...* In furtherance to Yerima`s defence, the law is unacceptable as long as the states did not domesticate it. *And once they have not done that, it's no longer a law* (Pulse News, 2023). Yerima claims that the Islamic religion does not disallow such marriages. His argument give rise to a wider question on whether national law is superior to the religion and tradition of people within a country. Though his argument is controversial, he raised a crucial point concerning the Nigerian law. The authority to amend the Nigerian Constitution is derived from Chapter I, section 9 of the constitution. It proposes that for amendment to occur, it must be approved by a resolution of the House of Assembly in at least 24 states. It is after two-thirds of the states approve the proposed amendment, that it is sent to the President for assent. Only 25 states of Nigeria domesticated the law. The 11 northern states did not. This is probably because of their religion and culture (Akinwumi, 2010). That is why the rights of children are mostly abused more in the northern parts of the country. The refusal of the northern states to domesticate the law violates the international convention which declared that *States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status* (United Nation: 1989).
In May 2024 at least 100 young women, including girls and many orphans, were married off in separate ceremonies in Nigeria (BBC, 2024). It was reported that most of the girls had lost their parents and relatives to attacks by terrorists. The Minister of Women Affairs, Uju Kennedy Ohanenye initially filed a suit in court to stop the marriage. Her action enraged the Niger State Imam Forum and other heads of Islamic organisations, who in their resolution, *described the minister's action as blackmail and issued a seven-day ultimatum to her to withdraw her statement and the suit on the issue and apologise* (Daily Post, 2024). In response to the threat, the minister was forced to withdraw the suit from the court (Vanguard, 2024).

In July 2024, a lawmaker representing Maru/Bungudu Federal Constituency in Zamfara State, Abdulmalik Zubairu, provided financial support for the mass wedding of 105 orphans whose parents were reportedly killed by armed bandits in Zamfara State. During the ceremony, he stated that *we are witnessing the marriage of 105 girls which almost all of them have either lost their father or mother. So, by our tradition and our religious ethics, we know the*

responsibilities when it comes to the marriage issue that the parent had to undergo. So, we intervene and provide items to assist these couples (Channels, 2024). This is another case of a federal lawmaker who ought to understand the law on the rights of children. His statement that the marriages were in accordance with their *tradition* and *religious ethics,* shows that the national law has been subjugated. However, until all the 36 states of Nigeria accept and domesticate this law, it will be difficult to fully contradict Zubairu. Furthermore, the true ages of the brides were not thoroughly verified. It could further be argued that the temptations faced by the girls within marriageable ages are removed when they get married. However, in any circumstances, the girls must have the right to accept or refuse to get married without coercion. The marriage of the 100 girls from Niger state was reportedly sponsored by the speaker of the Niger State House of Assembly, Abdulmalik Sarkindaji. It is beyond coincidence that the sponsors of both marriage ceremonies in Niger and Zamfara states were lawmakers.

Child marriage laws are important to provide girls with legal protection and signal commitment to achieving the Sustainable Development Goal target of ending child marriage by 2030 (Wodon, Tavares, Fiala, LeNestour and Wise, 2017).

On the other hand, it was expected that Oluremi Tinubu the wife of the president, ought to have taken steps towards preventing the early marriage of girls who ought to be in school. As a former senator, Oluremi Tinubu was expected to be abreast with the law and to ensure that it was preserved in order to protect the young girls. Though she has no constitutional right to stop governors from doing what they choose to do, it is believed that she has the capacity to lobby the minister of justice to wield the national laws against the actions of the governors that support child marriages. That lobby could have opened a new debate against the governors that are yet to domesticate the Child Rights Act. On the other hand, the representative of the Minister of women`s affairs who attended the marriage ceremony of the girls from Niger state, said that the girls were adults. It was argued that he said that as a way of reconciling and appeasing the Islamic religious leaders who were already bitter at the attempt to stop the marriage.

Niger and Zamfara States are very well endowed with huge natural resources and arable land. Yet, they are among the poorest in the country. For example, *Niger state has 42.8 per cent of out-of-school children in the country, according to the National Mass Education Initiative data; and it is among the worst 10 states in this regard. This is a big concern, in a country projected as having over 20 million such disadvantaged children, which has earned it a dubious distinction of being the highest in the world* (Premium Times, 2024).

When children are given out in early marriage, there are huge possibilities that most of them are denied education. Article 28.1 of the International Convention mandates that *States Parties recognize the right of the child to education, and with a view to achieving this right progressively.*

Child marriage does not occur only in the northern region of Nigeria. For example, the Igbo tribe of Imo State is located in the southeastern region of the country and it is predominantly Christian. Though the state domesticated the Child Rights Law in 2004. yet child marriage is an ongoing challenge. *Girls interviewed said that their families were the main drivers of their marriage, in many cases against their will* (Human Rights Watch, 2022). In some cases, forced marriage became an option to early pregnancy. Girls who became pregnant by mistake, are forced into marriage because their parents decided that they must be married off to avoid any embarrassment to the family due to the desecration of societal norms.

Apart from Nigeria, other African countries also practice child marriages. A few examples will suffice. In the Central African Republic, boys are more likely to be married in childhood than in any other African country. 29 per cent of girls are married off at 15 years in Chad. In Madagascar, 28 per cent of adolescent girls are either married or living with a partner, while

another 6 per cent are already divorced, separated or widowed. In contrast to Nigeria, poverty is not a reason for early marriage in South Sudan where child marriage is common even among more advantaged families. 60 per cent of married adolescent girls in Mauritania, have husbands who are mostly 10 years older than they are. However, Djibouti, South Africa, Swaziland, Namibia and Rwanda, have the lowest level of child marriage in sub-Saharan Africa and they are all below 10 per cent (UNICEF, 2015).

A child that marries early and their children usually experience devastating challenges to their health. In most cases, the girls experience miscarriages or stillbirths that are connected with early pregnancy. This is because the birth canals of the girls have not been fully developed to reach the stage of child bearing. Also, the mental and emotional pressure of assuming the duties of adults and managing the home is usually very traumatic and devastating. This oppression against humanity reaches a point where the child-in-marriage pray for death to come.

UNDER-AGED VOTERS

Nigerians that are 18 years and above are the only group of persons that are eligible to vote. Section 77 (2) of the 1999 Constitution of Nigeria expressly states that e*very citizen of Nigeria, who has attained the age of eighteen years, residing in Nigeria at the time of the registration of voters for purposes of election to a legislative house, shall be entitled to be registered as a voter for that election.* Though *voting is a funamental right* (Azinge, 1994)*,* it is also restricted by age. However, over the years, children have been seen queuing up and ignorantly casting their votes against the law. Every election is usually preceded by the registration of voters through the online registration and physical biometric processes. Children who live on the streets do not have the intellectual capacity to pass through the registration process. Therefore, the children are massively recruited, transported and supervised by politicians to be registered to vote. This is usually in connivance with officials of the Independent National Electoral Commission, INEC. During election, they are mobilized with food and very little amount of money to cast their votes as masterminded by the politicians. Immediately after casting their votes, the children return to the streets in continuation of begging or scavenging for food. This cycle continue every four years of the electoral process. Sadly, when the children queue up to vote, the security agents turn a blind eye.

Before the 2023 elections in Nigeria, the Independent National Electoral Commission (INEC) stated that it was *undertaking a comprehensive cleaning up of the voters' register to remove under-aged persons who may attempt to vote during the exercise* (Punch, 2022). When elections commenced, it was discovered that the statement was a crafty stratagem because children were seen queuing up and being accredited to vote by the same officials of INEC. In that election in Kano state, security agents protected children who were seen in large numbers casting their votes in desecration of the ballot box and rules of the elections. Muhammed Yakubu the state commissioner of police defended the apparent act of underaged voters when he remarked that *most of the ones you are seeing, may be their genetic...their growth rate might be impaired. So, I don`t know. All those that you see voting, they are adults that have been approved by INEC and I cannot change it* (Vanguard, 2023). It is widely believed that security agencies are usually paid to compromise the anomaly against the laws of the country.

In 2021, some Nigerian senators from the northern extraction further proposed that girls who were married should be allowed to vote even when they had not attained the constitutionally approved age of 18. Chairman, Senate Committee on INEC, Kabiru Gaya, said that, *the joint committee has proposed that if a lady who is not up to 18 years is married, she should be considered to be mature enough and be eligible to vote* (Punch, 2021).

The system in Nigeria which allow children to vote, is in contradiction to the goals of universal adult suffrage which countries who practice democracy subscribe to. Voters must be of "full age". Section 29(4)(a) of the 1999 constitution defines "full age" as 18 years and above. Section 117(2) states that: *Every citizen of Nigeria, who has attained the age of eighteen years residing in Nigeria at the time of the registration of voters for purposes of election to any legislative house, shall be entitled to be registered as a voter for that election* (Nigerian constitution, 1999).

Furthermore, the 2022 Electoral Act clearly outlaws voting by persons under the age of 18. Section 12(1) states that: A *person shall be qualified to be registered as a voter if such a person: (a) is a citizen of Nigeria; (b) has attained the age of 18 years; (c) is ordinarily resident, Works in, originates from the Local Government, Area Council or Ward covered by the registration centre; (d) presents himself to the registration officers of the Commission for registration as a voter; and (e) is not subject to any legal incapacity to vote under any law, rule or regulations in force in Nigeria.* However, despite the position of the law, security agencies usually look the other way, when children queue to vote unlawfully and ignorantly.

In comparison, India which is the world's largest democracy has a minimum voting age of 18 years in a population of 1.36 billion people and over 900 million registered voters. The age of voters was reduced from 21 following the Constitution Act 1988 (61st Amendment). Since the existence of the Australian Federation in 1901, the voting age has been 18, from the previous 21, sequel to the Commonwealth Electoral Bill (1973). In the United States of America, voter`s age was also reduced from 21 to 18 sequel to the US Constitution of 1971 (26th Amendment). Children are usually not allowed to vote in these countries in accordance with their respective laws.

Prior to the 2023 elections, the INEC chairman said that *after a rigorous cleaning-up of the data using the automated biometric identification system (ABIS), a total of 2,780,756 (22.6%) were identified as ineligible registrants and invalidated from the record, among them double/multiple registrants, underaged persons and outrightly fake registrations that fail to meet our business rules* (The Cable, 2022). He further stated that the commission identified officials who were involved in invalid registrations and that such persons will face disciplinary actions. In addition, Justice Obiora Egwuatu of the Federal High Court, had ordered that INEC must hand over the culprits who registered underaged voters to the appropriate law enforcement agency for investigation and prosecution. Justice Egwuatu also ordered that INEC must expunge from its national voters' register, the names of all the underage voters from each of the polling unit across the federation (Pulse, 2023).

The persons involved in registering underaged children are yet to be prosecuted. However, by March 2024, out of the 215 case files received by INEC, 196 cases involving other electoral offences were being jointly prosecuted by INEC and the Nigeria Bar Association (Punch 2024).

There is an aspect of the Nigerian constitution which does not empower the voter to protect his/her votes before the court of law. *Not every person aggrieved by a result declared after an election in Nigeria is competent to launch a complaint before such a tribunal* (Ugochukwu, 2012). Nigerian voters do not have the rights to present their petitions against election results. Section 137(1) of the Electoral Act 2010 (as amended) states that *[a]n election petition may be presented by one or more of the following persons: (a) a candidate in an election; (b) a political party which participated in the election.* This law is a confrontation against the rights of voters. If there is a right to vote, there must be a right to defend our votes and to challenge the use of underaged voters.

The national protest against hunger which held in Nigeria between 1 - 10 August 2024 offered some serious lessons. It was observed that the number of persons who took part in looting

during the protests, were children. For example, the Borno State Governor, Babagana Zulum, said that 95 per cent of the youths who participated in the protests against hunger in Maiduguri were children less than 14 years. He further observed that *a situation where thousands of children were living in Maiduguri in the name of Almajiri, without care from anyone, needed to be looked into.* (Daily Post, 2024). During the same protest in Kano state, out of the protesters and alleged looters that were paraded by the police, 22 of them were teenagers (AriseTV, 2024). The correlation in this, is that during elections, Kano, Borno and Katsina states have been noted for using underaged voters. Using children to vote and being paid with either a plate of food or a few naira notes, is an affront against human dignity. After the elections, the children are further abandoned on the streets. It is the same street children who are mostly the Almajiris, that uses the opportunities presented by protests to loot. Some of them were seen looting car batteries from shops. It is not because they have vehicles; it is because they hope to sell such batteries to buy food. Such children may also prefer to be arrested and detained because they hope to be fed in detention. Sadly, the children are not only exposed to the dangers of violent elections, they are always victims of dangers on the streets. They have been described as *a mob of bowl-carrying children wandering the streets in search of one thing or the other. Begging is the most discomforting aspect of the Almajiri system as it brings the pupils out of the supervision of the Mallams and gives them away to negative habits as they come in contact with morally deficient people such as prostitutes, cultists, terrorists, etc* (Taiwo, 2013).

If not tamed, the involvement of children in voting and looting during protests, are threats to national security and unity in the future. The children were seen looting what they did not need. For example, some of them were seen looting car batteries when they do not have cars. It was assumed that their goal was to sell the batteries for food. When there are no opportunities to loot, such children could be easily indoctrinated into terrorism. *It has been established that the negligence of vulnerable children could lead to gangsterism, rape, and other vices* (Aghedo and Eke, 2020).

Across Africa, the plight of street children is widely spread and peculiar despite their different nomenclature. Just as they are referred to as the Almajiris in Nigeria, *in Congo Kinshasha, there are the Shegues and in Congo Brazaville, the Faseurs hold sway as street children while in Senegal and Egypt, the Talibes are in abundance rattling the streets even as the tsotsis dominate the streets of South Africa*. *They live in the streets and negotiate for spaces for their survival. But the bottom line of their sameness is the neglect and lack of care either from parents or the governments hence the debate on the violation of the rights and privileges of innocent children and minors* (Okonkwo, 2022).

The almajiris practice alms begging, or almajiranchi, out of necessity to eat (Aghedo and Eke, 2013). These street children may decide to fight back at the country that gave them voters`s cards with unfulfilled promises of a better future. As long as they do not experience the `better future`, they will feel used and disposed. This frame of mind is dangerous for the country because the same children who could loot for food, could also kill for food. Over the years, the same children have been targeted for abduction to gain national and international attention. Proceeds from their abduction are usually used by terrorists to expand their terrorist base and to acquire more firearms. In some cases, the abducted girls are used as sex slaves and married off to terrorists as seen after the abduction of the Chiboc school girls in 2014 (Vanguard, 2016). In other cases, they have been used as suicide bombers or commanded to shoot and to kill. One day, these children will surely demand for their pounds of flesh from the society that failed them.

Nigeria must not continue to remain in ignominy by assuming a position that uses nonchalance to support the defilement of girls and the promotion of under-aged voters. Some persons in

positions of authority must quickly take responsibility for the protection of children and the rights of the children as enshrined in the law of the country.

CONCLUSION

The use of children as voters and as products of early marriages in Nigeria deserves the urgent attention needed to stop the anomaly. The noncompliance to the Child Rights Act in Nigeria, continue to expose children to the dangers of life. This has been observed when underaged children are used during elections or forced into marriage based on tradition and religion. Due to the prevailing socio-economic conditions of the country, children are easily involved in looting during protests that were expected to be peaceful. Others have been indoctrinated into terrorism, abducted for ransom and sexually exploited. If the children are not given proper education and the care they deserve, they could become security risks to the society that abandoned them for too long.

RECOMMENDATIONS

The office of the attorney general of Nigeria must take concrete actions towards ensuring that the Children`s Rights Act is implemented in all states of the federation. In so doing, any person or state government that goes against the law, must be prosecuted. Furthermore, he must ensure that the law that imposes a fine of N500,000; or imprisonment for a term of five years or to both on persons who betroths a child, are effectively implemented.

Officials of the electoral commission who register children to collect voter`s cards, must be prosecuted.

There is a need to amend the constitution in a way that could allow voters to challenge election results in the election tribunals.

The Independent National Electoral Commission should creatively organise elections that matches with the cultural realities. This could be done by configuring voter`s cards with the registered sim cards of voters. In this case, voters should be able to vote electronically with their mobile phones from the comfort of their homes. Such results should be transmitted electronically in real time. This will remove or drastically reduce the number of children who vote because it will be difficult to buy mobile phones and biometrically registered sim cards for each of them.

All Nigerian states must urgently act to incorporate, execute and align existing laws with the provisions of the Child Rights Act against underaged marriage and the law that criminalizes underaged voting.

Girls must be introduced to early education or skills training so that they could become independent and undetached from their line of training.

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