The social construction of childhood: is a minimum age of marriage attainable in plural societies?

Julie Ada Tchoukou

University of Ottawa, Ottawa, ON, Canada
Email: jadatcho@uottawa.ca

Abstract

This paper explores the way in which childhood is socially constructed in the context of child marriage regulation. Despite extreme social and cultural diversity, there is a core ideology in UN human rights instruments, around which official versions of childhood pivot. International law recommends setting the minimum age of marriage at 18 years. This article problematizes the progressively depoliticizing effects of a seemingly neutral regulatory drive at the heart of the UN's promotion of a standardized construction of childhood. The immediate purpose of this article is not to offer solutions to child marriage, but to bring together some elements that may form a basis for understanding the way in which conceptions of childhood are contextually constructed. My hope is that a familiarity with these social perceptions will help to explain the present struggle and resistance to apply universal rights constructions of childhood to non-western societies.

1 Introduction

This paper explores the way in which childhood is socially constructed in the context of child marriage regulation. At the heart of the debate around child marriage lies the question: 'what is a child'? This question is increasingly essential to academic, professional practice, national and international development of policy on issues of childhood. Several international instruments and human rights events have gradually (re)defined their understanding of the special attributes and needs of childhood. The United Nations (UN), through its constituent agencies, has played a leading role in the effort to further 'enlightened and benign government on behalf of children', encouraging the institution of compulsory education, social welfare and health services for children all over the world (Boyden, 2015). And, to an extent, the function of several scholars like me has been to support this process wherever possible. However, research in sociology and social anthropology has caused me to have growing reservations about the conception of childhood and the children's rights used to address the social issues affecting children.

Despite extreme social and cultural diversity, there is a core ideology in UN human rights instruments, around which official versions of childhood pivot. This ideology prescribes that children are demarcated from adults through a series of psychological and biological (as opposed to social) factors that are universally valid. It also dictates that childhood be associated with a set of rights contained in international law. My unease about developing global standards of childhood 'is focused in particular on the solutions to the special problems of childhood' that predominantly affect disadvantaged children in the poor countries of the South. For example, in relation to child marriage, the UN Committees on the Rights of the Child and on the Elimination of

Discrimination against Women recommend that States parties remove exceptions related to the minimum age of marriage and establish a minimum age of marriage for girls and boys, with or without parental consent, of 18 years (UNGA Report, 2014). The idea that a minimum age of marriage should exist for all children is incredibly appealing and is certainly very just and humane— particularly in light of the prevalent exploitation and mistreatment experienced by so many children in the world today. However, this approach downplays the impact of wider economic, cultural, social, historical, and political conditions in the shaping of childhood (Boyden, 2015). The diverse competencies and incapacities connected with childhood in different communities are copious and often imply inconsistent conceptions of the child. For example, while in several countries children are seen as dependent until well into their teens, in many others they are expected to be fully independent from an early age (Boyden, 2015). The manner in which children transition to adulthood may also differ radically from one country to another. In some countries there are even significant internal inconsistencies, with different capacities being conferred at different ages. As discussed below, this situation may also be further heightened by gender distinctions.

Focusing on the problem of child marriage in northern Nigeria, this paper problematises the progressively depoliticising effects of a seemingly neutral regulatory drive at the heart of the UN's promotion of a standardised construction of childhood. The starting point for my analysis is that childhood is a social construction. This suggests that theories of childhood— what it is like or should be like to be a child— are a function of culture and, as such, transform through time and space. The article unpacks this by exploring the changing nature of Nigerian childhood. With a focus on girls, I argue that girlhood cannot be understood in isolation of historical, social, and cultural factors. The social construction of girlhood in northern Nigeria is defined and located in the contested and interconnected domains of the Muslim religion, Hausa tradition and more recently by Islamic fundamentalism. My main interest is in the processes through which girlhood is structured and, to this end, I shall show, to some extent how the shaping of childhood is the family's task, mainly in relation to ideas of age and notions of dependence. I explore the different ways in which girls contribute to household management and to the division of labour in the home and suggest that through these, girls are themselves actively involved in structuring perceptions of childhood.

In calling for a contextual understanding of childhood, then, I also think through how that might require an engagement with the colonial structures which produce linear temporalities. As complex as the history of girlhood is in Nigeria, I argue that girlhood cannot be understood in isolation from larger historical and political processes. Section two focuses on the colonial context from which developmentalism arose in Nigeria and the specific impact of colonial children's laws in constructions of girlhood. This section provides a brief history of girls and those who set out to "save" them in twentieth century Nigeria. Centring girlhood in history demonstrates the significance of the colonial bases upon which current dominant constructions of childhood are founded. Reimagining childhood in this way, beyond attempts at a universal, singular category of the child reveals how the idea of the child is deeply implicated in continuing colonialism and imperialism that structures understandings of subjectivity, which inform UN human rights institutions.

The backdrop of this paper is the sociology of childhood, more particularly childhood in African contexts. And so, the immediate purpose of this article is not to offer solutions to the practice of child marriage in Nigeria, but to bring together some elements that may form a basis for understanding the way in which concepts of childhood and girlhood are contextually constructed. My hope is that a familiarity with these social perceptions of childhood will help to explain both the historical and present cultural struggle and resistance to apply universal human rights constructions (and reconstructions) of childhood to non-western societies (that is, across so-called 'developed' contexts and those sometimes called 'less' or 'under'-developed' contexts). My goal is not to abandon nor declare as useless the category of the child. Instead, I examine here

how a closer, contextualized analysis of this construction can assist in understanding the ways in which "child" is used in the non-western world and be more specific about who we are and who we are not talking about when we talk about universal children's rights. This analysis is significant because it reveals how the symbolic trappings mobilised by universal childhood in human rights documents like the UNCRC suggests that social policy, educational and international development practitioners are ill-equipped by their childhood theories, and the way those theories are taken up, to attend to the contexts and positions of actual children in non-western societies.

2 Setting the agenda for happy childhoods

The foundations for a universal standard of childhood were laid down by observers of the suffering of children in the First World War who wrote the UN Declaration of the Rights of the Child adopted in 1959. This Declaration was a blueprint for a global ideal, stipulating a series of rights for children that were separate from and supplementary to those of adults. As this century has progressed, successive international instruments and human rights events have gradually advanced their understanding of the special attributes and needs of childhood. Measures like the United Nations International Year of the Child and the UN Convention on the Rights of the Child have given larger scope for self- representation and self-advocacy than the Declaration (Boyden, 2015). They are more evidently focused on particularly disadvantaged groups— those suffering exceptional circumstances such as war, abandonment, or abuse. Significantly, the norms and ideals upon which this model of a carefree, safe, secure, and happy childhood are built are culturally and historically founded on the social concerns and priorities of the capitalist countries of Europe and North America (Boyden, 2015).

Highly selective, stereotyped perceptions of childhood— of the innocent child victim on the one hand and the young deviant on the other — have been exported from the developed world to the developing world. This has provided a pivotal point for the development of both human rights legislation at the international and regional level and social policy at the national level in a wide range of countries. It has been an obvious goal of children's rights experts to develop in international law a universal system of rights for the child based on these norms of childhood (Boyden, 2015). The present UN Convention on the Rights of the Child (UNCRC) comes closer to this goal than any previous international mechanism. The UN as the ultimate arbitrator of the value of liberal democratic rule globally, has a strong interest in dispersing to the poor countries the ideals and codes of practice developed in the public sector in industrialized nations (Boyden, 2015).

Adopted in 1989, the UNCRC is a key source in child rights governance; it prescribes the civil, economic, social, cultural, and political rights of children and establishes a legal framework for their protection. Three decades after its adoption, the human rights of children as expressed in the UNCRC have gained hegemonic status in policymaking and inspired a wide range of political and social practices as well as knowledge production on children and childhood (Holzscheiter, Josefsson and Sandin, 2019). The UNCRC governs at a distance through the normative soft power of its reports, guidelines, general comments, programs, standards, and meetings of various kinds. While its regulatory powers at the level of individual states are limited, it has been very influential in shaping local policies. The drafters of the UNCRC created a set of standards that is now deeply embedded in the governance of international relations, which is exemplified by the creation of several international and regional human rights institutions, conventions, and policies. Children's rights have become an explicit tool, not only to protect children from oppressive practices, but also to govern, standardise, and control children and childhoods.

In the context of its creation, the UNCRC opened new avenues for thinking about the rights of children regarding culture, gender, and ethnicity, addressing inter alia issues like harmful

traditional practices, freedom of religion or the right of children to privacy (Holzscheiter, Josefsson and Sandin, 2019). It also formalized and standardized the understanding of childhood and rights of children, thereby disregarding how culture, class, ethnicity, or gender shape local perceptions of for example traditional practices like child marriage. This globalization of a specific idea of childhood assumes some type of universal experience for all children. In the UNCRC, the same rights are given to all children across the world, irrespective of their contextual circumstances. Through the UNCRC, children's rights are accordingly made universal. This status of universality has become a significant precondition when justifying claims for and defending the rights of children globally (Quennerstedt, 2012). This is the case, even though rights expressed in international convention must undergo a 'cultural journey' when they are put into practice in society (Quennerstedt, 2012).

A dominant strand in contemporary research on children's rights has been focusing on the implementation and monitoring of universal standards for children's rights set out in the UNCRC. At its inception, many scholars contended that the UNCRC's west-centric human rights ideals presented serious barriers to constructive cross-cultural dialogue on child rights governance in many parts of Africa (see Kaime, 2005; Rwezaura, 1998; An-Na'im, 2000; Van Bueren, 2016). Much of the debate incited by incidents of violence against children depicted these incidents as a conflict between ethno-religious tradition and westernisation or modernisation. Modernity, discussed in opposition to culture, is a concept which, in African history, is connected to the colonial experience and has developed more distinct local features that emphasise the approval or disapproval of certain cultural norms (Platte, 2004). However, the 1990s was a revolutionary decade for human rights in most African countries (Thompson, 1992). A major reason for this was the adoption of the African Charter on the Rights and Welfare of the Child (ACRWC) by the Organisation of African Unity. The ACRWC was a radical departure from 'African cultural traditionalism'; it represented a significant shift in African political thinking on the contentious subject of the relevance of the human rights ideal to African children (Thompson, 1992). Article 21 of the ACRWC adopts the language of the UNCRC by expressly prohibiting child marriage and the betrothal of girls and boys and enjoins the taking of effective legislative action to specify the minimum age of marriage to be 18 years. As a result, 18 has been established in many constitutions and domestic laws in Africa in accordance with the international treaty provisions. However, despite the domestication of the UNCRC and the ACRWC, many governments in Africa are struggling to report on and fulfil provisions that are at best barely understandable and at worst irrelevant to their local context.

Certainly, the UNCRC has nurtured some very noteworthy achievements in children's welfare. For one thing, it makes governments directly accountable for children in ways they have never been accountable. However, as a theoretical and conceptual framework, the fact that the global model of the UNCRC draws primarily on Northern thinking cannot be ignored. Even with broad acceptance of this treaty, the likelihood that the childhood ideal of the Convention may not always be better for children's welfare than the childhoods of other cultures linger on (Stephens, 1995). This issue is compounded by the fact that some of the strident efforts to enforce the Convention focuses on whether states are complying or meeting their obligations rather than whether children are better off because of the Convention. For example, in 1992, the tabling of a Bill in the U.S. Senate to ban imports made with child labour provided a rare opportunity to investigate the effects on children of an attempt to impose global childhood standards. The ILO, with support from UNICEF, directed a study of children involved in the production of garments for export in Bangladesh (UNICEF and ILO Studies, 2004). The industry was observed to be a vital income source for the families of child workers, many of whose fathers were either unemployed or not financially contributing to the household due to marital breakdown and remarriage. It provided jobs for women and girls especially, this being very noteworthy in a Muslim society where opportunities for females to obtain socially acceptable paid work outside the domestic sphere

are very few (UNICEF and ILO Studies, 2004). The children would mainly undertake light finishing work.

While the U.S. legislation was never passed, the mere threat of the Bill led to thousands of children being removed from the garment sector, as many as 40,000 to 50,000 children were laid off. It was reported that children took to the streets and put together petition. The study revealed that dismissed garment children were worse off than children still in the industry in several ways. None were attending school, and many children were involved in activities such as pushing carts, brick chipping and rickshaw pulling which are more hazardous than garment work (UNICEF and ILO Studies, 2004). It was also reported that a considerable number of children were forced into sex work as a result. Children outside the garment industry suffered both acute and chronic illnesses at rates four times those of the children inside and ate less food, which was of poorer quality (UNICEF and ILO Studies, 2004). Though it was widely accepted that the removal of children from the industry was desirable and in line with international standards, it is obvious that the best interests of the garment children in Bangladesh were not served by an intervention based on a set of assumptions far removed from the children's reality. This underlines that there are no short cuts in realizing children's rights, and that applying solutions which have been developed elsewhere and in a different context can make a mockery of the underlying intentions of the UNCRC (Boyden, 2015).

In the same way, the depiction that child marriage is a social problem in need of regulation relies on an assumption that childhood is a universal concept, and that adolescence is a separate phase of development. However, the experiences and discourses of childhood, adolescence and marriage cannot be presumed to be similar across culture, place, and time (Bunting, 2005). Girls' diverse experiences and backgrounds challenge an essentialization into one classification of 'child bride'. For example, in many societies, the choices made by a 17-year-old girl are not identical to those made by a 10-year-old girl. Therefore, an approach centred on a uniform marriageable age of 18 may ignore the multiplicity of childhoods. Ignoring the socially structured nature of childhood will have overwhelming effects on children and women (James, 1998). It risks aggravating, not alleviating, the fundamental social problems confronting girls within localised contexts.

3 Obstacles in the export of an ideal childhood

Innovative responses to the problems of childhood that are sensitive to context and meet the needs of children— that they themselves identify— are rare. However, critical, and oppressive responses, involving elements of containment and correction are all too common. Due to the rights lobby at the forefront of the global spread of norms of childhood, international children's rights lawyers and scholars largely ignore the evidence that the conception of childhood is intimately tied up with cultural values and the outlook of any given society. This section seeks to understand what cultural representation indicates about the contemporary politics of childhood in Nigeria. Without sensitivity to context, the move to set global standards for childhood and common policies for child welfare can be categorised as just another project of the civilizing mission that was disconnected from peoples' lives. I have chosen to focus on the social construction of childhood in contemporary and colonial Nigeria to illustrate how universal perspectives on childhood may be far from the enlightened step projected by its proponents. Childhood as a phase of life is not a western invention but what did not exist in Africa is the idea of childhood tied to a rigid chronological age. Before discussing the implications of the colonial introduction of age as an organizing factor for childhood, it may be useful to pay some attention to the frames within which childhood takes in contemporary Nigeria. The following section highlights the discontinuity between the protective ideologies of child welfare embodied in both international rights legislation and the social, economic, and cultural realities of countless children in northern Nigeria.

3.1 The 'child' in context

African societies are largely designed around the lives of its children (Rwezaura, 1998). Across the continent, children represent continuity with customs and present-day traditions devised to ensure children's survival and prosperity. They are also considered in many African cultures as essential to family survival, in that they help preserve household economies through their cheap labor at home, in trade, farming or other family food-processing activities (Howard, 2013). The notion of a completely dependent child who is nurtured, clothed, educated, and generally raised at the expense of parents is an idea that is foreign to the traditional African setting (Ncube, 1998). While childhood may be described as short-lived in Africa, compared to Western Europe, its short length has not reduced its cultural or political significance (Kaime, 2009). Traditionally, African beliefs and practices are embedded on the principle of communalism where society is made up of groups of people connected by inter-personal bonds with common values defining and directing social relationships (Fayemi 2009). This communalistic attitude imposes a range of duties and obligations on the child, not only towards direct family members but also the wider community.

Most traditional African societies do not use age as social standard for differentiating children from adults. West African cultures are known to have distinctive markers for developmental transitions. For example, historically in traditional societies in Ghana, the transition to adulthood was marked by marriage which usually took place immediately after puberty and marked the attainment of adulthood, particularly for girls (Obidoa, 2018). In some African societies, transitions from childhood to adulthood were properly demarcated by certain ceremonies. In other West African societies, an uninitiated person would remain a child in the eyes of the community regardless of age (McNee, 2004). A child generally becomes an adult through a long process of ritual and social transformation by the community. And so, only after this process of inclusion, socialization and ritualization can children advance into adulthood.

In northern Nigeria, the relationships between parents and children are determined primarily in accordance with entrenched acceptable standards of behavior grounded in behavioral norms of respect, avoidance, and affection (Yeld, 1961). The same applies to the relationships between children and other members of the extended family. Until the age of seven or eight, male and female children are attached to their mothers (Yeld, 1961). After this age, they are required to take part in the adult activities of members of the compound of their own gender. Children in this society experience a physical freedom that no other group in society has; this includes the ability to roam in and out of the houses of friends, relatives and sometimes even strangers in search of playmates, to purchase goods, sell items or to relay messages (Schildkrout, 2002). There are many important implications of this, including the learning experience children gain by observing many aspects of the community that they will later be excluded from as adults. In this context, the shift from childhood to adulthood really comes about when the liberty to move inside and outside houses, between the male and female domains is limited (Schildkrout, 2002). This transition brings about the full assumption of adult sex roles, and as reflected below, it occurs differently for boys and girls. In this way, adulthood denotes separation and avoidance between 'male and female in all non-sexual activities', while childhood is a phase in which these borders are insignificant (Schildkrout, 2002, p. 362).

3.1.1 Girling the subject

Girlhood in northern Nigeria is not easily defined. The life of a girl is a multifaceted social construct and any attempt at defining and demarcating it is inevitably difficult. Unlike infancy, girlhood is a social concept, not a biological category (Postman, 1994). As a social institution, it comprises of actively negotiated social relationships which girls experience in the early years of their lives (Kaime, 2009). The elements that characterize the life of a girl in northern Nigeria's social system are not formally taught, they are progressively internalized and reinforced through

Figure 1. A picture of A'ishatu Yola from (Aderinto, 2015).

cultural beliefs, values, and perceptions. Social training and interaction in childhood shapes and strengthens this largely 'unconscious process' (Callaway, 1984, p. 433).

As previously stated, the ultimate defining principle of childhood is its separation from adulthood, even if in a somewhat modified form for girls. Boys are permitted to be 'little boys', but girls are raised to be 'little women' (Callaway, 1984). As reflected in Figure 1 above, the status and identity of girls are made visible through their appearance that are enhanced by cultural jewelleries and clothing to improve their beauty. They are dressed to replicate adult styles; although they may only be 8 or 10 years old, girls wear gold jewellery, eye make-up, and often paint their lips (Usman, 2010). They are raised to be womanlike, to envision themselves as wives and mothers and are viewed as symbols of beauty, peace, love, and unity between tribes through marriage (Usman, 2010).

The content of this female sex-role cuts across socio-economic class, personality differences, and educational levels. Female sex-roles exist in most societies, but in northern Nigeria, this disposition is extreme, thorough, and methodical. The girl-child begins to be allocated domestic duties around the age of three, by age six she is dressed in imitation of adult women and begins to be viewed as a future wife, and by the time she is between ages twelve and fourteen, she is married, after which she enters seclusion which leads to her confinement to female quarters for the rest of her life (Callaway, 1987). On the other end, boys are culturalized into believing that they are superior to girls. They are encouraged to engage in child-like activities, but also persuaded to only

play with boys, to separate themselves from girls, to be indifferent about domestic chores, and to be independent from their mothers (Callaway, 1984). This process solidifies the difference in status between boys and girls.

Girlhood in the family is especially important and it takes place under specific conditions. It is impossible to properly understand the meanings and significance of girlhood if it is not set in the context of family and kinship. In northern Nigeria, the rights, and duties of girls in the family are linked to stages in development of her life cycle. Aspects of a woman's life cycle emphasize her position in relation to men, her reproductive status as well as her approximate age. This is usually reflected through language, songs, poems, proverbs, and anecdotes. An Hausa woman's life is divided into different categories: *jinjinya* (female infant), *yarinya* (girl), bera (pre-nubile girl), *buduruwa* (a girl whose breasts have started growing but who is not yet married or a maiden or virgin), *mata aure* (woman or wife), *bazarawa* (divorced or widowed), or *tsohuwa* (old woman) (Schildkrout, 2002; Barkow, 1971).

As a *bera* and *buduruwa*, a girl's primary task is to help in the household chores and to hawk the craft of the married women of her compound (Barkow, 1972). They have the freedom to wander in and out of people's houses to buy and sell goods and to look for playmates. Barkow (1972) asserts that the life of a *buduruwa* is a happy one because at this stage, her main task is street hawking and household chores; these are her most enjoyable labour. The transition from the pleasant life of *buduruwa* to that of *mata aure* or married woman is abrupt; from her unrestricted wanderings around the community and the market, she quickly transitions to a life of seclusion in the home of her in-laws. For an overwhelming majority of girls in northern Nigeria, it is almost unimaginable to desire to be anything other than a wife or mother (Wall, 1998). Girls are often told *ke mace, gidan wani zaki*, (after all, you are a woman and you are going to someone else's house) (Sa'ad, 1981, p. 31). Notably, the Hausa term for 'woman' and the term for 'wife' are the same- *mace* (Wall, 1998, p. 348).

3.1.2 Girlhood: agency and work

To understand the social construction of girlhood in northern Nigeria, it is important to assess the interaction of people of different ages and the advancement of individuals from one age group to the next. In this section, I argue that any change in the roles of children that come because of setting a minimum age of marriage at 18 will have far reaching consequences, not only on children but possibly on the whole structure of the Hausa family. As previous mentioned, a core ideology in UN human rights documents, around which official versions of childhood pivot dictates that children are demarcated from adults due to their vulnerability. This traditional view of socialization regards adult behavior in society as an autonomous variable and emphasizes the dependence of children on the older generation. However, overstating the dependency of children on adults often 'blinds us to the dependence of the older generation on the younger one' (Schildkrout 2002, 344). The working life of girls in northern Nigeria reveals how the variety of work girls are involved with affects the social age of children and contribute to the organization of everyday life for adults. I am of the view that gendered roles in northern Nigeria cannot be demarcated as they are without children performing certain roles that are distinct from but complementary to adult roles. In analysing these issues, I am concerned primarily with the relations between girls and mothers and the autonomy and agency exercised by girls in northern Nigeria. I refer to the cultural practice of *kulle* as it provides a productive space to confront these concerns.

As previously mentioned, among the Hausa, transitioning from childhood to adulthood demanded severing relations between men and women in all non-sexual activities, but these restrictions were less significant in the world of children (*bera* and *buduruwa*). Only children had the right to carelessly roam in and out of people's houses. For married women and girls, severing relations between men and women is enforced through the practice of *kulle* (Pereira, 2005). *Kulle*,

meaning 'confinement', 'imprisonment', 'seclusion', also referred to as 'purdah' is a cultural practice that places stringent restrictions on the interaction between men and women (Schildkrout, 2002). Married women and girls in *purdah* do not generally leave their compounds except for the purpose of attending marriages, funerals and visiting relatives or close female friends. Therefore, since most girls in northern Nigeria marry between age twelve and fourteen, they are secluded to the 'female quarters of their compound' all their lives (Callaway, 1987, p. 31). If a girl is married as young as ten, she may not be expected to assume certain responsibilities like cooking, until puberty begins, but she enters *kulle* and loses the freedom she enjoyed as a child. The compound becomes the girls' world.

The puzzling nature of seclusion, and the confusing social division that it produces gives unmarried girls the kind of freedom and independence that is usually not expected of children in other societies. Since married women in *kulle* are unable to go out during the day, it is their young unmarried daughters, *budurwa*, who are sent on errands, transmit messages, and sent to the market for the hawking of goods (Callaway, 1984). Even though they may have demanding household tasks, the girls engage in street hawking for their mothers, and are relatively free until they are married and subsequently secluded (Schildkrout, 2002). At an early age, girls learn to bargain, to keep accounts and the importance of financial independence for women. A young girl immediately comprehends that this income is not to be shared with her father or brothers and that it gives her mother dignity and respect not attainable in other ways (Callaway, 1984).

The significant amounts of money women earn while secluded is only possible with the assistance and support of pre-pubertal girls who are very active at this work; they buy the materials, transport, and sell the final products at the market. They may commence hawking as early as 7 a.m. and end at 5 or 6 p.m. (Nasir, 2007). They experience physical stress from the daily long distant walk to the cities and are occasionally lured into prostitution (Nasir, 2007). They encounter all forms of male harassment, intimidation, and sexual, emotional, verbal, and psychological abuse. Usman (2010, 725) notes that an eleven-year-old in a focus group interview commented:

> When the men continue making such comments without addressing the price and quantity of nono and fura purchase, we consider that a bad signal that they are not "true" customers but have a different motive. We then insist by asking them how much worth of our product they want, but they ignore us and insist on their compliments which often may lead them touching us in inappropriate places. At this point we lift out calabashes and leave immediately before we are harmed.

The presentation of girlhood in the context of seclusion serves an important purpose; it marks the transitory status of girls before they take a significant step into adulthood, marriage. The above excerpts explain the strength and fortitude girls as young as eleven years are expected to have to privately deal with the consequences of street trading. The goods and services market girls are exposed to at incredibly young ages govern the process of becoming independent. The marketplace emancipates girlhood from traditional mechanisms of socialization and control inside the family (Chisholm, 1990). It also marks the close of certain life phases offering parental and familial protection. This system has the effect of removing children from the private domain of the family into confrontation with new rules of behavior drawn from a social code that is possibly different from that functioning within the parental home.

Taking up adult entrepreneurs' responsibilities very early accelerates girls' emotional development and so by the time they are of marriageable age, Hausa girls have understood the physical and social world they live in and from which they will withdraw in differing degrees upon marriage (Bivins, 2007). Unlike most children in other societies, they have mapped out the social networks of kinships and friends, understood the formal and informal hierarchies of their families and society, and should have a practical education that will 'stand them in good stead'

throughout their marriage (Bivins, 2007, p. 91). To the casual observer, life as a girl in this context seems challenging. However, it can also be assumed that the knowledge girls acquire hawking goods, running errands, listening, and sharply observing life in their community assists them in making an 'adult' transition to married life. It equips them with the skills needed to manage the resources and personalities in their first homes as brides. As we will see in succeeding sections, since 1977, there have been a few efforts to control hawking by young girls, but the practice persists in present-day Nigeria, as will certainly be visible to any traveller in northern Nigeria.

Given the deeply entrenched nature of social practices in this region, any change in the domestic lives of girls will give rise to profound changes in other cultural institutions and in broad cultural patterns in general. And so, it is important to acknowledge the ways new paradigms could create significant tensions between parents and children. Children are instrumental in maintaining the present definition of female roles and the different cultural systems used to uphold this definition. Culturally neutral ideas of childhood diminish children's claims to their own social membership and contribution within their communal and family struggles. Consequently, setting the age of marriage at 18 could affect every other aspect of a girl's life that provides meaning. Addressing childhood concerns in this way creates ineffective laws that disqualify children from their social world; it basically removes them from it. It is in this context that efforts to introduce reforms affecting the lives of girls must be evaluated. In addition, the institutionalization of modernized ideals of childhood in northern Nigeria is not merely a question of its significance to children. By setting standards within legislation, northern childhood will not only be erased within the purview of law, but this new modernized model becomes the standard to be used to judge other actors in northern Nigeria. Guardians, parents and specifically mothers could be recast as child abusers, and their child rearing practices indicted as falling short of certain standards.

4 Development discourse in Africa: the institutionalization of age as an organizational category

The present concern about setting the age of marriage at 18 is linked to wider secularization anxieties tied to Nigeria's colonial experience. My analysis in the succeeding sections reveals that setting the age of marriage at 18 and prescribing an ideal model of childhood for northern Nigerian children may purely be echoing "colonial paternalism" (Burman, 1994, p. 241). This aspect of history is important because we will see that the universal subjecthood of the African child was an imposed and not a claimed status, which was conferred upon the child by salvationists (George, 2014). As such, present day contested ideas of a universal childhood illuminate the colonial implication of hierarchical distinctions of race, gender, class, and generation within programs of universal subject making in the colonial era and beyond (George, 2014). The colonial-imposed boundaries between adult and child in certain regions in Nigeria functioned to create a universal image of childhood. This imagery led to the application of 'inappropriately homogenized and culturally chauvinistic' developmental models (Burman, 1994, p. 243). Models that were subsequently reproduced and employed by agencies and institutions in regulating childhood in postcolonial Nigeria. The adoption of this colonial model resulted in modern Nigeria failing in its protective duty towards children because the model does not address the complex social forces that apply at the local level. Therefore, in exploring ways to address child marriage, the historical constructions of childhood, its impact and its reproduction in modern Nigeria should not be overlooked. Overlooking these standards could easily be the subtle side of cultural imperialism.

There is no better place to commence tracing the emergence of childhood in modern Nigeria than with the 'institutionalization of age as a basic organizing category' (Aderinto, 2015, p. 6). The introduction of novel government mechanisms along with their underlying ethical principles

during the colonial period saw the emergence of new legal and political differences between African children and adults and a parallel restructuring of the developmental, moral, and social disposition of the African child. In precolonial Nigeria, a child was defined according to the culture of each ethnic group; however, colonialism imposed a unitary standard for distinguishing between a child, a young person, and an adult (Aderinto, 2015).

Chronological age was institutionalized as an aspect of power relations and a marker by which society gaged progression in life. Compared to the variable precolonial emphasis on the fulfillment of social responsibility as the marker of maturity, under colonialism, age as an organizing category was inflexible (Aderinto, 2015). Public programs, policies, institutional reform, as well as legal and social practices were all tied to age. The laws precluding children from engaging in sexual activities below a certain age, from engaging in specific forms of labor, from partaking in political processes, from working in specific jobs and from criminal prosecution were all informed by rigid biological constructions of age. Aderinto (2015, p. 6) asserts that if colonialism overlooked ethnic diversity in forming an 'artificial state called Nigeria', it also denigrated pre-colonial notions of childhood among several ethnic groups by attempting to standardize the experience of childhood.

The young as a group were not legally defined until the 1940s. Before this period, in the various decrees, there was instead a general category called 'children' with inconsistent age limits. The *Alien Children Registration Ordinance* of 1878 was the first colonial regulation to detail children's experiences as colonized subjects. This ordinance instituted a significant innovation to the idea of the child. It marked childhood and children's social needs as ontologically distinct from adulthood and adult needs (Abosede, 2006). Integral to this concept of childhood is that children are immature, weak, and susceptible, therefore, they must be protected from themselves and from others who may cause them harm. Consequently, in certain regions, children were relegated to schools, hospitals, playgrounds, and young offender institutions (Kaime, 2009). More specifically, the state's involvement in girls' lives through legislation inserted their experience into the legal record and marked them clearly as a sexually endangered population (Aderinto, 2014).

The most comprehensive legislation introduced to protect children was *the Children and Young Person's Ordinance* of 1943 (CYPO). The phrase 'young person' first emerged in this legislation and section 25 clearly created two groups- a 'child is under 14 and a young person is over 14 and under 17'. This legal delineation of childhood was significant for two reasons: first, it influenced the definition of childhood in other statutes and directed prosecution of crimes against children; second, it ascertained the eligibility and the type of rehabilitation programs for victims of child abuse. However, beyond legitimizing the protection of children, the dichotomy established by the CYPO also introduced the 'science of childhood development' (Aderinto, 2014). By maintaining that adulthood did not come before the age of 17 years, childhood became defined in strictly legal terms. At age 17 years, the Colony Welfare office (CWO) believed, an individual was emotionally, physiologically, and mentally competent (Aderinto, 2014). However, the CYPO's definition of a child was not an absolute; overtime, a few changes were made to this definition. The definition of a child was continuously contested despite efforts by the British to impose a rigid dichotomy between a 'child' and 'young' person.

4.1 The child as 'child': age of consent

The notion of 'age of consent' is a significant form of regulation that influenced understandings of childhood in colonial Nigeria. Perhaps there was no more obvious attempt at the deliberate universalization of childhood than that which occurred with the colonial construction of consent. The arguments surrounding the evolution of the concept of consent focused upon the perceived conflict between 'innocence and experience'. At the core of the reconstruction as a whole, and the reason why it is so important in present day understanding of childhood, is the fact that the colonial state was deeply involved in regulating girlhood sexuality as an element of its wider task of modernization. The colonial moral panic over imperilled girlhood led to a struggle between

intersecting 'categories of new and old, modern and traditional, urban and rural lifestyles' (Aderinto, 2014, p. 74). There was a construction of several categories such as child wives, abandoned girls, child prostitutes and 'girls in moral danger' to create institutional structures for protecting 'vulnerable' girls against sexual harm.

Age of consent generally referred to the legal age for young people to participate in a range of activities; however, when age of consent is discussed, it is usually understood that sexual conduct is at issue (Waites, 2005). In colonial Nigeria, children falling within this category were labelled as "children in moral danger" (Aderinto, 2007). Abandoned girls, child prostitutes and child wives fell within this category. The statutes promulgated during this period promoted greater involvement in the lives of girls on the grounds of moral danger (Fourchard, 2006). Up until 1958, an underage girl in Nigeria was a female below the age of thirteen. The Criminal Code Ordinance made a sharp dichotomy between two categories of females: 'woman' and 'underage' but the age of consent remained thirteen. This implied that marriage at age thirteen could not be considered as child marriage.

Despite the different categories constituting moral endangerment, the most worrying for the colonial state was child prostitution in that it was regarded as the end product of all forms of sexual danger for girls (Aderinto 2014). In other words, child marriage, street hawking and abandonment set in motion a process, as the CWO believed, that conclusively ended in child prostitution. A clearer definition of a child appeared in colonial records through the undertakings of the CWO, which documented the life stories of girls to push for institutional reforms. Many girls rescued from prostitution were between the ages of 5 to 13 years, and others from 15, but not over 20 years (Aderinto, 2014). If the CWO relied on the legal definition of 'child' as a guiding principle, it would not have expanded its regulatory and rehabilitative acts to girls over 13 years. Irrespective of legislative provisions, the CWO was of the view that all females under the age of 16 years were mentally and psychologically too immature to consent to 'sexual intercourse and that all forms of sexual relations (whether under a properly consummated marriage or disgraceful prostitution) was a sex crime against minors' (Aderinto, 2014, p. 76). As such, child marriage was plainly and fundamentally defined by the CWO as marriage involving a girl under the age of 16 years.

Colonial efforts to increase the age of sexual consent or marriage to 16 years by criminalizing child marriage were criticized by Nigerian local authorities both in southern and northern Nigeria. The *Native Authority Child Betrothal Order* (NACBO) of 1943 was a bill aimed at criminalizing 'child marriage, betrothal of girls under 17, or their removal from their parents or legal guardians'. Even though the NACBO was not the first attempt at regulating the marriage of underage girls, it was the "boldest attempt" in Nigeria's history to reform customary marriage countrywide to fit the British mission of safeguarding endangered girlhood (Aderinto, 2014, p. 126). The framers of the NACBO intended to remake the country's socio-cultural practices involving people under 17 years of age. By limiting the age of marriage to 17 years, the NACBO began to create a legal framework that enables both state and society to adopt a protective role for its child citizens. Children were viewed as a special category in need of protection from abuses. However, the passage of this bill would have undermined and weakened the influence and control that local communities had over customary marriage. This is so because, unlike child prostitution and street hawking laws that were enforced only regionally (in Lagos), the NACBO was projected to jurisdictionally apply to the entire country with a population of over 20 million (Aderinto, 2014).

In drafting the NACBO, the attorney general recognized that the major challenge would be using age as a basis for defining "carnal knowledge" (Aderinto 2014, p. 125). But unreservedly, the bill was set to standardize the age of marriage, delay early marriage, and criminalize sexual intercourse with girls under the age of 17 years. Despite British efforts, the provisions of the NACBO were highly contested and strongly condemned by the Islamic authorities in north Nigeria. In addition, the NACBO met firm disapproval because the phrase "unlawful carnal knowledge" was also understood as 'sexual intercourse between husband and wife' if the wife was

underage (Aderinto 2014, p. 147). This was observed to be an undesirable intrusion with Muslim marriage customs.

Other attempts by the Colony Welfare Office to enforce a uniform age of consent on all the ethnic groups in Nigeria was found to have contravened cultural marriage practices that seldom used chronological age as an indicator of adulthood or readiness for marriage but instead considered the fulfilment of social obligations and participation as rites of passages (Aderinto, 2014, p. 147). Historian, Saheed asserts that the NACBO was bound to fail given the nationwide outlook on which the bill was based, in addition to the biased British position on marriage, a core aspect of traditional existence (2014). I also believe the bill failed because it was structured by cultural assumptions about gender and gendered power relations. British understandings of girlhood informed their formulations of laws; if the primary goal is to protect girls, the law cannot be too disconnected from localized understandings of girlhood.

There are several points of convergence between children's experiences under colonialism in Nigeria, present day universalizing strategies implicit in human rights treaties and modern Nigeria's attempt at implementing the UN Convention on the Rights of the Child domestically. Colonialism resulted in problematic pictures of both Western culture and the local culture of certain colonies; pictures that relied on a clear contrast between the two cultures. The cultural distinctions constructed during colonial struggles in Nigeria are salient to modern-day rights agendas. Contemporary elites in Nigeria see modernization and nation-building as necessitating universalizing strategies, often drawing on European law. To this extent, they seem to have accepted the dominant legal ideology of Western society. However, as Nigeria tries to adopt uniform laws despite the pluralistic nature of the state, there is extreme resistance from local groups. The profound religious, ethnic, and other divisions in Nigeria obscure the application of human rights in the traditional Western sense. And so, much of the debate incited by present-day incidents of child marriage in Nigeria depict it as a conflict between ethno-religious tradition on the one hand and westernisation or modernisation on the other.

For example, due to obligations emanating from the UN Convention on the Rights of the Child (CRC) and the African Charter on the Rights and Welfare of the Child, in 2003 the National Assembly in Nigeria enacted the Child Rights Act (CRA). The CRA explicitly prohibits the practice of child marriage and sets the minimum age for marriage at 18 years. However, Nigeria is a federation consisting of 36 relatively sovereign and equal states, with each having an independent legislature. The Constitution gives all 36 states complete responsibility and authority to make laws relevant to child rights matters. As a result, before the Child Rights Act (CRA) becomes applicable within states, it must be adopted by them through the legislative powers provided in section 4(7) of the Constitution. States are not under an obligation to adopt the CRA, and those that have done so, by enacting regional Child Rights Law (CRL), have done it at their discretion. Even states that ratified the CRA can alter the marriageable age provision of the CRA. And so, while the CRA prohibits child marriage, its application is restricted in scope because it limits the cultural/religious rights of Sharia states in Nigeria.

As highlighted in section 3 above, informal systems of social control render the determination of childhood by age particularly challenging. Cultural and religious norms are used to justify the change in the definition of a 'child' within the laws of most states in Nigeria. And so, even though most CRL adopted the CRA, in respect of the definition of a child, there are differences, especially that of Islamic northern states where, instead of the minimum age of 18 stipulated by the CRA, 'puberty' is used as the threshold for ascertaining marriage capacity. While the CRA sets a child to be a person under 18, it is believed that 'in Islam, there is no age that marks childhood' (Braimah, 2014). And so, despite the growing pressure from the international community, resistance to abolition of child marriage is strong. These states view cultural modifications endorsed by modernists as deeply undermining their way of life and a submission to the cultural dominance of a colonizing Western culture.

5 Encountering colonial modernity: producing the desirable girl

Many of the cultural conflicts between Western and local cultures in colonial Nigeria between 1900 and 1958 concerned issues relating to women and girl's roles and sexuality, making women and girls a principal site of the political struggles between Western culture and the culture of the colonized (Aderinto 2014). Child marriage, girl hawkers, female genital mutilation, virginity testing, polygamy, are all noteworthy points of dispute and attempted mediation between Western culture and the different African cultures. In these conflicts, local practices are depicted as backward and barbaric in contrast to the progressive nature of Western culture. Political elites often reacted by constructing these very practices as sacred and longstanding traditions that were constitutive of ethno-religious values, and as practices associated with the religious place of, and respect for, women. The purpose of this section is to highlight how colonial constructions of girlhood are essential to larger geohistorical forms of violence produced by ideas of what it means to be 'developed'. Today, we view most economic activities that involve children as "unsafe" "unethical," or "uncivilized" partly because it exposes them to physical, mental, and other dangers. Child labor invokes ideas of child exploitation; we believe that the best place for a child to be in the mid-afternoon is in the classroom or on the playground. We are inclined to think that the more children assume roles as breadwinners or financial contributors to their household, the less they experience "real" childhood (Aderinto, 2015, p. 11).

Children have always worked in every African society. But as discussed below, under colonial rule, the activities of children as "workers" began to take on new meaning in part because of new perceptions tied to the notion of ideal childhood (Aderinto, 2015, p. 11). We will see that the types of welfare services provided in colonial Nigeria reflected the concerns of the rulers rather than the needs of the ruled. In this section, I explore the campaign referred to as 'the girl hawker project' which unfolded from the 1930s to the 1950s during the time of British rule which was between 1901 and 1960. I discuss this campaign because, during this period, girl hawkers were 'symbolic of cultural practices, whether these were positively or negatively valued' (Aderinto, 2014, p. 74). Focusing on the transformation of girlhood, this section seeks to understand the different ways girls were symbolically constructed; I uncover how the meaning of girlhood structured policies around children and struggles between local practices and British culture. At the core of street hawking regulation were very fundamental questions about the nature of the girl and her relationship to society, the state and modernity. As a special issue of governmental concern, girl hawkers confronted colonialist notions of the child as well as their efforts to impose girlhood, a particularly gendered variation of childhood, onto their lives (Abosede, 2015).

The girl hawker project was a combination of institutions and beliefs collectively used to direct state and community action for developing a strategy focused on removing girl hawkers from the streets and re-shaping local perceptions of girls to conform with modernized conceptions of girlhood (Abosede, 2006). The impact of street hawking regulation on childhood from the 1930 to the 1950s cannot be overstated. First, it provides room for asking questions about the shifting conceptions of childhood overtime. Second, the colonial welfare policies launched in the 1940s influenced and shaped the first generation of political leaders, welfare, probation, and police officers. Postcolonial Nigeria's welfare services also kept intact juvenile regulations and similar institutions and policies were put in place during the 1960s (Osifodunrin and Aderinto, 2012). As previously highlighted, these inherited colonial institutions have failed to advance child protection in a way that is sensitive to the complex religious and cultural forces conditioning women and girl's experiences.

In literal and figurative ways, girls 'functioned as subjects of contestation' between the colonial state, its subjects, and elites (Abosede, 2006, p. 2). The girl-child was an object of scrutiny and thus elicited an array of nationalist desires. She was a contested figure, 'an image, either an object of celebration or of attempted control' (Weinbaum, 2008, p. 78). She became a person in need of regulation by the state, social reformers, and missionaries, as well as national elites. The policing

of girls was carried out through representational governmental projects and social development schemes. The street hawking campaign is an example of this. As previously highlighted, hawking is fundamental to the domestic economy in both precolonial, colonial, and postcolonial times. It is a means of selling and delivering items across and within local communities. The income it generates limits the hardships experienced by the mothers and grandmothers for whom girls hawk.

Like child marriage, hawking was viewed by colonial administrators as dangerous, not just because it subjected girls to sexual exploitation, but also because it allowed them to be extremely sexualized. Even though public narratives reflected the state's failure to properly protect its imperilled children, the bigger issue was the changing character of hawking, an established way of raising and educating children, financially supporting the family, and transferring skills from one generation to another (Abosede, 2011). In addition, street hawking violated core values of modern childhood like dependency, vulnerability, powerlessness, and innocence (Aderinto, 2015). The transformation of girlhood through hawking practice was conceived as a modernization strategy that would play a critical role in maintaining and promoting modern womanhood in the nation for years to come (Abosede, 2006).

The colonial framework for regulating street trading was primarily directed at the South-west region of Nigeria. In 1946, the colonial administration commenced implementing the street hawking provision of the *Children and Young Person's Ordinance* (CYPO) passed in 1943. The CYPO was modelled upon the *Children and Young Person's Act* of 1933, a law that was foundational to juvenile justice policy in England until the 1960s. A significant innovation of this statute was that it empowered the state to rescue children from "dangerous home surroundings" and severely increased the probability that the state would actually do so (Bailey, 1987, p. 8). Following passage of the law, where parental control was unsatisfactory, it was more likely than before to result in the state stepping in (Bailey, 1987). The CYPO introduced new questions about child welfare policies, as it tried to create new social categories like the 'modern girl'. For the first time in Nigeria's history, girls were to be managed through a distinct set of procedures and legally grounded institutions (see Lawal, 2004). The policy barred all children under the age of 14 years from selling goods on the street and from 'playing, singing or performing for profit'. Girls between ages 14 and 16 years were subjected to further limitations determined by the time of day, the vicinity and region where the sale was carried out.

It is important to note that unlike general "market trading", in most of Nigeria, street hawking was a "female gendered activity" (Abosede, 2015). Therefore, although the language of the regulations was largely gender neutral, the law was still understood to be aimed at placing a strategic ban on hawking by girls. The number of girls arrested for street trading was greater than the number of boys arrested for criminal offenses and street trading violations put together (Abosede, 2015). In response to street hawking by girls, a similar legislation was enacted in northern Nigeria. The *Kano State Petty Trading Control* (Amendment) Edict of 1988 prohibited hawking by girls under the age of 16 years. Like the CYPO, the decree was also intended to 'protect young female children from moral danger and exploitation'. Instead of viewing the problem as being rooted in patriarchy and male dominance, the law focused on arresting the girls themselves and taking them to court, not by prosecuting the men who abuse young girls. Secluded Muslim women and the young girls on whom they rely for their trade were the main victims of this legislation.

Girl hawkers were different things to different observers. On the one hand, some observers viewed girl hawkers as simply vessels of cultural ideals and essential contributors to their families and the larger economy (Abosede, 2015). On the other hand, girl hawkers, unlike boys or women who hawked, were very sexualized in the imagination of certain observers who assumed that hawking encouraged and enabled sexual trading among some girls while it made other girls susceptible to sexual assault (Abosede, 2015). However, the campaign against girl hawkers was not only limited to the sexual dangers girls were potentially exposed to. Public condemnation of street

hawking also aimed at controlling girls' social interactions and public display (Weinbaum, 2008). The domesticity ideology underlying child marriages seems to be an unwritten feature of street hawking regulations. Limiting girls to the home context, engaged with preparation for a life of domesticity, seemed to be both a 'matter of necessity and of unwritten policy for the juvenile welfare system' (Abosede, 2015, p. 219). As workers in the public domain, girls challenged elite gender standards that positioned women in private domestic spaces. Walking the streets with goods and cash in hand, girl hawkers could not be described using modern ideals and terms like vulnerable, innocent, powerless or dependent (Abosede, 2015). Their female gender made this even more challenging. At a certain point, "regulation advocates" proposed that there was an adequate number of boys in the city to take over the job of girl hawkers and so there was no demographic need for girls to street trade (Abosede, 2015). This domesticity ideology motivating juvenile girl reform reproduced and preserved a gender ideology that regarded men as the normative breadwinner, while women were homemakers.

Like child marriage, the street hawking campaign reflects a clear battle for control over children. The "rhetoric of modernity" was strongly exhibited in colonial systems that viewed civilization as the pathway to the development of the African race (Aderinto, 2015, p. 8). The lives of children became a marker of modernity, African development, or the lack thereof. As such, the regulation of childhood would justify and require cultural intrusions and impositions. Transformations in childhood and transformations in colonial rule were closely tied. Policies reflected modernist colonial ideologies of individuality and autonomy; ideas that would eventually lead to a restructuring of people's perceptions and understanding of childhood. Therefore, the more colonization was recognized as a force for social change, the more childhood was transformed in all spaces, including neighbourhoods, playgrounds, and maternity wards (Aderinto, 2015). From the late 1920s, manuals on childhood and child rearing practices began to flourish as newspapers dedicated special columns to modern ways of raising children (Aderinto, 2015). Issues such as the best meals and products for children, how children can be prepared for adulthood and the content of school curricula, were used to push forward a specific idea of childhood.

The history of colonialism makes it possible to understand how northern Nigerian states currently view social reform as a developmentalist agenda rather than a protective agenda centring on the well-being of children. Beyond the need to improve services and provide infrastructure, the colonist state sought to improve people's lives directly. The objective of improving people's lives in ways that would be tolerable and accepted by both natives and colonists was resolved through a focus on children for new forms of regulation. In this way, like current UN human rights documents, endangered children became the primary focus of the colonial state. Beyond simple improvement, children presented an even bigger opportunity for the colonist state. The state demonstrated a "bolder will to save" children from danger, from themselves and most importantly from their communities. By urging a direct relationship with children as the future and hope of the state, the colonial state grounded its legitimacy in its position as a "source of salvation" (Aderinto 2015, p. 206).

The prohibitionist regime within UNCRC dovetails with the colonialists' modernisation project that sought to 'produce new social categories' by homogenizing the experience of childhood through institutionalizing age as a basic organizing category. The street trading regulations discussed in the previous section were part of complex mechanisms that served the coming into being of the "universal child in Africa". To be saved by the developmentalist state, the girl had to be remodelled from an unrestricted, autonomous working girl into a dependent, innocent, and modern child. That identity also had to be balanced with a notion of femininity that favored and emphasized women's domestic activities over their public activities. Historically contested ideas of childhood and girlhood in relation to constructions and deployments of vulnerability and techniques and ideologies of salvation as political discourses are observable in the current ideology in UN human rights documents, around which official versions of childhood

pivot. Therefore, an assertion that a legislation setting a minimum age of marriage at 18 in northern Nigeria could be a developmentalist effort to progressively advance a new culture of girlhood may not be entirely unfounded.

6 Conclusion

The social construction of childhood, specifically girlhood, is an ongoing process that has evolved through the pre-colonial era, colonization, decolonization, and nation-building in Nigeria. Childhood in Nigeria is a complex interlocking set of beliefs, policies, social structures, and the everyday actions of adults and children. In this paper, I argued that the discontinuity between the protective ideologies of child welfare embodied in both international rights legislation and national policy and the social, economic, and cultural realities of numerous children in non-western societies is marked. I have shown some of the ways in which research in history, sociology and social anthropology can highlight differences in the construction of childhood. I also contended that an understanding of childhood as a social construct requires attention to the ways in which the Western construction of the child was co-produced with colonial temporal structures. By reflecting on history, I showed that that colonialism in Nigeria brought with it ideas of appropriate expectations of adolescents and young adults including a view of children "as in need of protection and care" (Bunting, 2005). Setting itself up as the only caregiver and advocate of children's rights, the colonial administration sought to structure the various stages of childhood by using age as an organizational category. Even though advancing equality for all children using age as a marker is persuasive, different competencies and incapacities connected to childhood in various parts of Nigeria are numerous, and often suggest conflicting ideas of childhood. In addition, the reality of oppression for girls is such that simply raising the age of marriage may not reduce the prevalence of child marriages. Consequently, while I am concerned primarily with child protection, a comprehensive analysis of the legal, political, and historical dimensions of child protection strategies is necessary to arrive at sustainable solutions. Otherwise, efforts to reduce child marriages will be constrained by limited views that neglect an analysis of the internal and external systems of control accounting for the continued oppression of girls. More important still, some of the measures for child protection— often promoted on humanitarian grounds— have the effect of isolating children further from their family and community and increasing their economic and social disadvantage.

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