Locke's Fiduciary View of Parental Duty and the Problem of Child Rights in Nigeria

Emmanuel Terungwa Asue
Department of Philosophy
Federal University of Lafia
tyukwa77@gmail.com

Abstract

Across Nigerian households, parental authority is exercised within a complex web of cultural expectation, religious obligation, and communal accountability. Yet this authority is frequently distorted into domination - through child labour, early marriage, gender-based educational denial, and the suppression of children's developing autonomy. This paper argues that these failures cannot be adequately addressed without philosophical grounding, and that John Locke's account of parental duty as a temporary fiduciary trust provides precisely the framework that is needed. Drawing on Locke's *Two Treatises of Government* and *Some Thoughts Concerning Education*, the paper argues that parental authority is not a form of ownership but a conditional and time-limited responsibility directed toward the child's preservation, education, and eventual autonomy. Applying this framework to the Nigerian context, the paper identifies unexpected convergences between Lockean liberal philosophy and indigenous communal child-rearing traditions, while also exposing the ways in which structural poverty, patriarchal custom, and institutional weakness systematically violate children's developmental rights. The paper concludes that the reform of family practice in Nigeria requires not only changes in individual parental conduct but the transformation of the social and political conditions that make responsible fiduciary parenting impossible for many families.

Keywords: Parental duty; fiduciary trust; John Locke; children's rights; child labour; early marriage; Nigerian family; authority; education; autonomy.

Introduction

In many Nigerian households, children as young as six or seven years old can be found selling goods along busy roads, hawking wares in markets, or performing domestic labour in the homes of others. Child labour remains widespread across states such as Kano, Lagos, and Rivers, driven by economic necessity and long-standing cultural expectations about the role of children within families.[1] Parents frequently exercise authority over children with little institutional oversight, and traditional norms of paternal dominance shape how decisions about education, work, and welfare are made. Although policies protecting children's rights exist on paper, their implementation remains weak, leaving many children vulnerable to neglect and exploitation.[2] In these cases, parental authority is treated mainly as a tool of household control rather than as a responsibility directed toward the child's growth and wellbeing.

This situation points to a wider problem in how parental duty is understood and exercised. Across many societies, authority within the family is associated with obedience, discipline, and the subordination of children to adult decision-making. These concerns are not without merit. However, this understanding of parental power overlooks a more fundamental question: what obligations do parents actually owe their children? When authority is exercised without limits, when children are denied education, or when the needs of the household override the rights of the child,

1. International Labour Organization, *Child Labour in Nigeria: Characteristics and Determinants* (Geneva: ILO Publications, 2015), 23–28.
2. UNICEF Nigeria, *Situation Assessment and Analysis of Children and Women in Nigeria* (Abuja: UNICEF, 2015), 67–70.

parental duty is distorted into something closer to domination.[3] Such situations should be recognised as moral failures, because they undermine the very conditions necessary for children to develop into free and responsible individuals.

A second problem is that debates about family life are often conducted without sufficient philosophical grounding. Governments and social reformers frequently address issues such as child labour and educational access through legal frameworks, policy interventions, and economic programmes. These approaches are valuable, but they do not resolve the deeper normative question of what parental authority is actually for. In Nigeria, inherited assumptions about paternal dominance, filial obedience, and the subordination of children's interests to family survival continue to shape how authority is exercised at home.[4] Despite their pervasive influence, these assumptions are rarely subjected to careful philosophical scrutiny. As a result, efforts to protect children's rights frequently fail to challenge the underlying ideas about authority and freedom that make exploitation possible in the first place.

This paper argues that the tension between parental authority and children's freedom cannot be fully understood or effectively resolved without taking the philosophy of John Locke seriously. It draws on Locke's account of parental duty, which holds that authority over children is not a form of ownership but a temporary

3. Locke, Two Treatises of Government, ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), 309.

4. O. Aina, 'Patriarchy, Male Dominance, the Role and Women Empowerment in Nigeria,' IPC2005 Pop Conference (1998), https://ipc2005.popconf.org/papers/50005.

and fiduciary responsibility directed toward nurturing their capacity for reason and independence.[5] From this perspective, parental power is not an end in itself but a means of preparing children for the exercise of their own freedom. The abuse of that power - through child labour, denial of education, or patriarchal domination - is not merely a social problem but a direct violation of the moral foundations of the parent-child relationship.[6]

The paper is organised into four substantive sections. The first examines Locke's account of parental duty and the limits of authority as developed in his major philosophical writings. The second considers the structure of traditional African family life and how responsibility for children is distributed across Nigerian cultures. The third analyses parental duty and authority structures in Nigerian societies, examining the roles of culture, religion, and education in shaping the obligations of parents. The fourth applies Locke's framework to Nigerian family practices, identifying both areas of convergence with indigenous traditions and the points at which those practices fall seriously short of the fiduciary standard - with particular attention to child labour, early marriage, and educational denial as concrete violations of children's developmental rights.

Locke's Account of Parental Duty and the Limits of Authority

To understand what John Locke means by parental duty, it is necessary first to understand what he was arguing against. In

5. Andrew Franklin-Hall, 'Creation and Authority: The Natural Law Foundations of Locke's Account of Parental Authority,' Canadian Journal of Philosophy 42, no. 3 (2012): 205–24.

6. David Foster, 'Taming the Father: John Locke's Critique of Patriarchal Fatherhood,' The Review of Politics 56, no. 4 (1994): 787–818.

seventeenth-century England, the dominant defence of both monarchical and paternal power was provided by Sir Robert Filmer in his work *Patriarcha*. Filmer argued that political authority derived from divine right: God had granted Adam dominion over the earth, and this authority had passed through his descendants to monarchs and fathers alike, making both political sovereignty and paternal power absolute and natural. On this account, the authority of a king over his subjects and the authority of a father over his children were not merely analogous but continuous - expressions of the same original grant of divine dominion. Locke's entire account of parental duty is developed in direct opposition to this position, and it cannot be properly understood without keeping that opposition in view.[7]

In his *First Treatise of Government*, Locke dismantles Filmer's biblical and philosophical arguments systematically, rejecting the premise that political authority is inherited through paternal lineage and insisting instead that legitimate power must be grounded in natural law, natural rights, and consent.[8] In the *Second Treatise*, he develops a positive account of what authority within the family actually is, and his answer is decisive: it is not a form of ownership, not a species of political sovereignty, and not a permanent right. It is a fiduciary trust, held temporarily on behalf of the child, and directed entirely toward the child's preservation, education, and eventual independence. Parents, on this account, are not rulers but trustees. Their authority is real, but it is always

7. *Patriarcha,* or The Natural Power of Kings (London, 1680). Locke's direct response is in John Locke, *Two Treatises of Government,* ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), 141–263.

8. Locke, Two Treatises of Government, 267–428; Stanford Encyclopedia of Philosophy, 'Locke's Political Philosophy,' sec. 'Natural Rights, Consent, and Social Contract' (Fall 2021).

conditional - conditional on its being exercised for the benefit of the child rather than the convenience or profit of the parent.[9]

Locke is equally insistent that this authority is shared. One of his most pointed objections to Filmer is that the patriarchal model assigns authority exclusively to the father, as though the mother bore no comparable responsibility. Locke rejects this directly, arguing that if reason or revelation are consulted, the mother has an equal claim to the care and governance of the child.[10] By placing maternal responsibility on precisely the same footing as paternal duty, Locke undermines the very foundation of the patriarchal model. Parenthood, for him, is a joint stewardship, and his deliberate use of the term parental power - rather than paternal power - signals that authority over children belongs to both parents equally, and that its source is not the prerogative of the male line but the obligation that arises from bringing a dependent being into existence.

The nature of that obligation is shaped by what Locke understands children to be. Children are not born as fully rational agents, but they are born with a natural right to liberty and equality that no parent can permanently extinguish.[11] The state of childhood - what he calls nonage - is a provisional condition in which the child's undeveloped rational faculties justify a temporary subordination to parental guidance. But this subordination is strictly functional. It exists because children cannot yet direct themselves by reason, not because parents have any inherent right to rule over them. The

9. David Foster, 'Taming the Father: John Locke's Critique of Patriarchal Fatherhood,' The Review of Politics 56, no. 4 (1994): 611–635.
10. Locke, Two Treatises of Government, 299.
11. Ibid., 306.

moment this justification disappears - the moment the child's rational faculties have developed sufficiently for self-governance - parental authority must cease.[12]

This temporal dimension of Locke's account has significant implications. It means that the entire period of parental authority must be understood as preparation for its own ending. The goal of parenting is not to produce obedient dependants but to produce autonomous individuals capable of governing themselves by reason. Education is therefore not one parental obligation among many but the central mechanism through which the fiduciary trust is fulfilled. In *Some Thoughts Concerning Education*, Locke argues that the habits of mind and moral character formed in early childhood have lasting consequences, and that parents bear a profound responsibility for the quality of the rational and moral formation they provide.[13] To deny a child education is not simply a failure of provision - it is a violation of the fiduciary relationship itself, because it prevents the development of the very capacities that legitimate parental authority is meant to cultivate.

Locke also specifies what parental authority does not permit. It does not permit parents to treat children as property. It does not permit the extension of authority beyond the point at which reason has developed. It does not permit the use of children's labour or obedience for the parent's private advantage.[14] Any exercise of parental power that serves the parent rather than the child is, in Locke's framework, not an exercise of legitimate authority but an

12. Ibid., 315.
13. John Locke, *Some Thoughts Concerning Education,* ed. John W. Yolton (Oxford: Oxford University Press, 1989), 81, 145–148.
14. Locke, Two Treatises of Government, 323–325.

abuse of it - a distortion of the fiduciary trust into something that more closely resembles domination. This is the foundation of his entire account, and it provides the standard against which all parental conduct must ultimately be measured: not whether it asserts authority, but whether it genuinely serves the child's development toward freedom.[15]

Traditional African Family Structures

In many parts of Nigeria, the upbringing of a child is not considered the exclusive responsibility of the biological parents. Across different ethnic groups and communities, children are raised within networks of kinship that extend well beyond the nuclear household.[16] Among the Yoruba, the child is described as *omoile* - a child of the house - signifying that their welfare belongs to the entire compound rather than to their parents alone. Similarly, the Igbo *umunna* system creates patrilineal networks in which male relatives share responsibility for the wellbeing of children,[17] while the Hausa-Fulani *gida* structure places child-rearing within a compound household coordinated by the *maigida*, or compound head.[18] In each of these traditions, the family is not a private enclosure but a social institution embedded in a wider web of communal obligation.

Within this framework, fathers occupy a position of central authority. Yet this authority is not conceived as unlimited. Among

15,. Ibid., 327–330.

16. R. Okonkwo, *Parenting and Child Development in African Contexts* (Enugu: Fourth Dimension Publishers, 2010), 45.

17. T. Falola and M. M. Heaton, *A History of Nigeria* (Cambridge: Cambridge University Press, 2008), 34–37.

18. M. G. Smith, *Government in Zazzau: A Study of Government in the Hausa Chiefdom* (London: Oxford University Press, 1960), 89–92.

the Yoruba, the *egbe* or age-grade association oversees major family decisions, and the *igbimo* or council of elders may intervene when paternal authority becomes excessive or harmful.[19] In Igbo communities, maternal uncles hold recognised power to challenge a father's decisions regarding his sisters' children,[20] while among the Hausa-Fulani, a father's conduct may be challenged by community *malams* if it conflicts with Islamic law. These structures reveal that traditional African family life has never been simply a domain of unchecked paternal rule. Authority in the household has always been relational and accountable, shaped by customary norms, generational obligations, and the expectations of the wider community.

Mothers, meanwhile, play indispensable roles that extend beyond the domestic to the economic and moral. Among the Yoruba, senior wives exercise considerable influence over household resources, healthcare decisions, and the early education of children.[21] Among the Igbo, mothers control important economic activities, particularly in trading and agricultural processing, and women's councils provide a collective mechanism through which mothers can challenge male authority when it threatens the welfare of children.[22] Far from being passive within these systems, mothers negotiate authority through strategic alliances, informal influence,

19. J. D. Y. Peel, *Religious Encounter and the Making of the Yoruba* (Bloomington: Indiana University Press, 2000), 156–159.

20. V. C. Uchendu, *The Igbo of Southeast Nigeria* (New York: Holt, Rinehart and Winston, 1965), 78–81.

21. N. Sudarkasa, 'The Status of Women in Indigenous African Societies,' *Feminist Studies* 12, no. 1 (1986): 97–99.

22. C. Steady, 'African Feminism: A Worldwide Perspective,' in *Women in Africa and the African Diaspora,* ed. R. Terborg-Penn (Washington, DC: Howard University Press, 1987), 15–17.

and recognised cultural roles that the outsider may not immediately perceive.

Beyond the immediate household, the extended family ensures that no child is left entirely vulnerable. Grandparents are the primary transmitters of oral knowledge, cultural history, and moral instruction. Age-grade associations create peer accountability structures through which adults of similar age monitor one another's parenting practices.[23] This dispersal of responsibility prevents the concentration of absolute power in any single individual and ensures continuity of care, even in cases of parental death, economic hardship, or family conflict. Research confirms that children within extended family systems fare better during periods of crisis than those in nuclear arrangements.[24]

Contemporary pressures are transforming these arrangements in uneven ways. Urban migration has weakened the oversight functions of extended kinship networks, concentrating authority within nuclear units that lack the traditional checks and balances built into village and compound life.[25] Economic pressures often force quick individual decisions that bypass extended family consultation, and the pace of urbanisation has eroded many of the informal mechanisms through which communal authority once operated.[26] The traditional African family structure has never been

23. A. Nwoye, 'An Ethnographic Study of the Igbo Extended Family System in Nigeria,' *Journal of Comparative Family Studies* 42, no. 3 (2011): 11.

24. J. Gage-Brandon, 'The Polygyny-Divorce Relationship: A Case Study of Nigeria,' *Journal of Marriage and the Family* 54, no. 2 (1992): 285–292.

25. A. Adepoju, 'Migration and Urbanization,' in *Nigeria: A Country Study,* ed. H. C. Metz (Washington, DC: Federal Research Division, 1992), 156–159.

26. P. Marris, *Family and Social Change in an African City* (London: Routledge& Kegan Paul, 1961), 112–115.

a static or monolithic institution — it has always adapted to changing conditions — and the question it now faces is whether that adaptation can preserve the core commitments to collective responsibility and child welfare that have historically sustained it.

Parental Duty and Authority in Nigerian Societies

Across the diverse cultural traditions of Nigeria, the obligation of parents to care for, educate, and protect their children is not understood merely as a personal preference or a private matter. It is a moral and social imperative, reinforced simultaneously by indigenous philosophy, religious teaching, and communal expectation. Among the Yoruba, the concept of *omoluwabi* demands that parents raise children who embody integrity, social responsibility, and moral character.[27] Among the Igbo, the principle of *omenala* requires parents to ensure that children understand and uphold ancestral traditions and community values. Among the Hausa-Fulani, the notion of *hankali* - wisdom and good sense - places particular emphasis on developing children's moral reasoning and social intelligence.[28] In each tradition, parental duty is not a transaction but a trust: something owed to the child, the family, and the wider community alike.

This communal dimension of parental responsibility is reflected in the widespread understanding that a child's upbringing reflects on everyone around them.[29] The Yoruba proverb *Omoti a koba to, yoo*

27. W. Abimbola, *Ifa: An Exposition of Ifa Literary Corpus* (Ibadan: Oxford University Press Nigeria, 1976), 89–92.
28. A. H. M. Kirk-Greene, Barth's Travels in Nigeria (London: Oxford University Press, 1962), 156–158.
29. B. S. Oyeyemi, *Child Rearing Practices in Yoruba Society* (Ibadan: Spectrum Books, 2000), 33.

di eranko - a child who is not properly raised will become like an animal - encodes an understanding of child-rearing as a shared moral project, one in which the failure of parents is also the failure of the community, and in which success is measured by the child's capacity to contribute meaningfully to social life.[30]

Religion deepens the force of these obligations considerably. In Nigeria's predominantly Christian communities, parental duty is understood in terms of divine stewardship. In Muslim communities, children are understood as a divine trust -*amana* - and the concept of *tarbiyah*, or upbringing, outlines a comprehensive framework of obligations encompassing physical care, intellectual development, and moral formation.[31] Islamic jurisprudence specifies that parents will be questioned on the Day of Judgement about their fulfilment of these duties, making religious accountability a persistent feature of everyday parenting decisions.[32] These religious frameworks do not always align with traditional cultural practices, but they share a common insistence that children cannot be treated as mere possessions and that authority over them carries binding moral responsibility.[33]

Education, both formal and informal, has become one of the most visible expressions of parental duty in the Nigerian context. Traditionally, boys were trained through apprenticeship systems in

30. O. Yoloye, 'The Yoruba Traditional System of Education,' *African Notes* 8, no. 1 (1974): 15–18.

31. A. A. Tijani, 'Religion and Parenting in Contemporary Nigeria,' *Ilorin Journal of Religious Studies* 4, no. 2 (2014): 14–17.

32. A. S. Roald, 'Tarbiya: Education and Politics in Islamic Movements in Jordan and Malaysia,' *StudiaIslamica* 95 (2002): 85–106.

33. L. Sanneh, 'Religion and Politics: Third World Perspectives on a Comparative Religious Theme,' Daedalus 120, no. 3 (1991): 203–218.

farming, hunting, and craftsmanship, while girls received instruction in domestic skills, trading, and food processing.[34] Traditional apprenticeship networks created structured pathways from childhood dependence to economic participation and adult responsibility.[35] Parents are now expected to provide both traditional cultural formation and access to formal education, and studies indicate that Nigerian families typically spend up to thirty percent of their income on school fees, uniforms, textbooks, and supplementary lessons.[36] This investment reflects the widespread understanding that educating a child is the most tangible form of care a parent can provide, and that its denial is one of the most serious failures of parental duty.

The authority through which these duties are discharged is itself a highly structured institution. Fathers occupy a position of central public authority - understood as custodians of lineage, property, and family honour.[37] Yet this authority has never been absolute. Among the Yoruba, the *baba agba* is expected to consult the *egbe* before making major decisions affecting his children's futures.[38] In Igbo communities, the *okpara* exercises authority subject to challenge by the *ndiichie* if his decisions harm the wider family's interests.[39] Among the Hausa-Fulani, a father's conduct may be

34. M. A. Makinde, *African Philosophy, Culture, and Traditional Education* (Ile-Ife: ObafemiAwolowo University Press, 1988), 56–59.
35. P. Foster, 'Secondary Schooling and Social Mobility in a West African Nation,' *Sociology of Education* 37, no. 2 (1963): 150–171.
36. Federal Ministry of Education, Education Sector Analysis Report (Abuja: Government Printing Office, 2018), 78–82.
37. S. A. Adewale, *The Role of the Family in Child-Rearing in Traditional Yoruba Society* (Ibadan: University Press, 1986), 72.
38. Peel, Religious Encounter and the Making of the Yoruba, 189–192.
39. Uchendu, The Igbo of Southeast Nigeria, 94–97.

challenged by community *malams* if it violates Islamic law.[40] These structures reveal that traditional African family life has always built accountability into the exercise of authority, preventing any single individual from wielding unchecked power over a child's life.

The expectation of obedience from children is equally central to these structures. Across Nigerian cultures, deference to parental authority is presented from an early age as both a personal virtue and a social responsibility.[41] Yet these same oral traditions that celebrate obedience also contain cautionary voices. Proverbs that warn children of the consequences of disobedience coexist with stories of tyrannical fathers and the community's recognised responsibility to intervene when authority becomes abusive.[42] Traditional systems never conceived of parental authority as unlimited, and they built into themselves mechanisms for oversight, challenge, and accountability precisely because they understood that power exercised without constraint tends toward harm.

The role of mothers within this hierarchy is considerably more complex than a simple picture of subordination would suggest. The *iyaloja* system demonstrates how maternal authority extends beyond the home into the marketplace and political life.[43] In Igbo

40. Smith, Government in Zazzau, 156–159.

41. O. O. Olatunji, *Features of Yoruba Oral Poetry* (Ibadan: University Press Limited, 1984), 134–136.

42. C. L. Adeoye, *AsaatiIse Yoruba* (Ibadan: Oxford University Press, 1979), 167–169.

43. B. Awe, 'The Iyaloja in the Traditional Yoruba Political System,' in *Sexual Stratification: A Cross-Cultural View,* ed. A. Schlegel (New York: Columbia University Press, 1977), 144–147.

societies, women's councils and the institution of *umuada* provide collective frameworks through which mothers challenge male authority when it endangers their children's welfare.[44] Contemporary research reveals that what appears publicly as complementary authority often involves sophisticated negotiations behind the scenes, with mothers exercising decisive influence while allowing fathers to maintain public leadership.

These dynamics are being reshaped by urbanisation, education, and economic change in ways that have not yet stabilised. The education of women has shifted authority relationships, as educated mothers assert greater decision-making roles and educated children increasingly question hierarchical arrangements that their parents took for granted. Nigeria's Child Rights Act of 2003 has introduced new standards for children's welfare and protection, yet the Act has been adopted by only twenty-four of Nigeria's thirty-six states and lacks effective enforcement mechanisms in communities where customary authority retains its force.[45] The result is an authority landscape that is genuinely contested, in which traditional structures, religious imperatives, legal obligations, and economic realities do not always align, and do not always point in the direction of the child's welfare.

A Lockean Analysis of Nigerian Parental Practices

John Locke's conception of parental authority as a temporary fiduciary trust finds unexpected resonance with core features of

44. I. Amadiume, *Male Daughters, Female Husbands: Gender and Sex in an African Society* (London: Zed Books, 1987), 89–92.

45. Federal Ministry of Women Affairs and Social Development, Child Rights Act Implementation Report (Abuja: Government Printing Office, 2018), 45–48.

traditional Nigerian family life, even as it challenges some of the most entrenched assumptions about how authority over children should be exercised. Locke's insistence that parental power exists solely for the preservation, nourishment, and education of children until they attain the age of reason provides a critical framework through which both the strengths and the failures of Nigerian family practice can be examined - not to impose a foreign standard but to identify where indigenous commitments to child welfare are upheld and where they are betrayed.[46]

When Yoruba communities describe children as *omoeniyan* - children of the community - they affirm, in indigenous terms, the same principle that Locke articulates through the language of natural law: that the welfare of children cannot be subordinated to the private interests of individual parents.[47] The extended family systems found across Nigerian cultures institutionalise a form of distributed fiduciary responsibility. When maternal uncles intervene to protect their sisters' children from excessive paternal discipline, or when Yoruba age-grade associations exercise collective oversight of family decisions, these mechanisms embody precisely the kind of accountability that Locke believed was necessary to prevent parental authority from degenerating into domination.[48]

The traditional practice of sending children to live with better-off relatives for educational or economic opportunities further reflects a Lockean understanding of parental power as something that serves the child's development rather than the parent's possession.

46. Locke, Two Treatises of Government, 304.
47. Okonkwo, Parenting and Child Development in African Contexts, 45.
48. Uchendu, The Igbo of Southeast Nigeria, 94–97.

Studies indicate that approximately fifteen percent of Nigerian children live with non-biological parents at some point in their childhoods, and this arrangement is generally understood as an expression of responsibility rather than abandonment.[49] The indigenous emphasis on comprehensive child development - reflected in the Yoruba concept of *omoluwabi*, the Igbo emphasis on *omenala*, and the Hausa focus on *hankali* - aligns closely with Locke's educational philosophy, which holds that parenting is not merely a matter of physical provision but of equipping children with the capacities they will need to govern themselves responsibly as adults.[50]

Traditional apprenticeship systems across Nigerian cultures embody the Lockean principle that education is the mechanism through which legitimate authority transforms into earned autonomy.[51] The extraordinary financial sacrifices that modern Nigerian families make for their children's schooling - typically spending up to thirty percent of household income on educational expenses - demonstrate a commitment to child development that Locke would recognise as consistent with the obligations of fiduciary parenting.[52] Institutions such as councils of elders that oversee and constrain paternal decision-making provide community oversight mechanisms that anticipate many of Locke's

49. A. Adepoju, 'Issues and Recent Trends in International Migration in Sub-Saharan Africa,' *International Social Science Journal* 50, no. 157 (1998): 383–394.

50. Locke, *Some Thoughts Concerning Education,* ed. John W. Yolton (Oxford: Oxford University Press, 1989), 83–85.

51. Foster, 'Secondary Schooling and Social Mobility in a West African Nation,' 150–171.

52. Federal Ministry of Education, Education Sector Analysis Report, 78–82.

concerns about unchecked patriarchal power.[53] In these respects, Nigerian communal traditions and Lockean liberal philosophy share more common ground than a surface-level comparison might suggest.

Yet the convergence has clear limits, and Locke's framework also exposes where Nigerian practices fall seriously short of the fiduciary standard. These failures are deeply entangled with structural poverty, institutional weakness, and the absence of effective legal enforcement. But Locke's framework insists that these contextual pressures be named as what they are: conditions that make the fulfilment of fiduciary parental duty impossible, and that therefore demand political and social remedy, not merely moral exhortation directed at individual parents.[54]

Child labour represents perhaps the most visible of these violations. In agricultural communities, children participate in cocoa farming, cassava production, and fishing from an early age, often at the expense of school attendance and physical safety.[55] Approximately fifteen million Nigerian children are engaged in some form of child labour, a figure that reflects both the scale of the problem and the inadequacy of existing protections.[56] From a Lockean perspective, the central issue is not whether children acquire certain skills through labour but whether they are being

53. Peel, Religious Encounter and the Making of the Yoruba, 189–192.

54. M. Fortes, *The Web of Kinship among the Tallensi* (London: Oxford University Press, 1949), 156–159.

55. International Labour Organization, *Child Labour in Nigeria: Characteristics and Determinants* (Geneva: ILO Publications, 2015), 23–28.

56. UNICEF Nigeria, *Situation Assessment and Analysis of Children and Women in Nigeria* (Abuja: UNICEF, 2015), 67–70.

treated as the beneficiaries of parental authority or as instruments of adult economic need. When a child's working hours displace schooling, and when their earnings supplement household income at the cost of intellectual development, the fiduciary relationship has been inverted - the child exists for the family rather than the family for the child.[57]

The underlying cause lies in the harsh economic realities that many Nigerian families face. When parents earn less than two dollars per day - a reality for around eighty-seven million Nigerians - sending children to work rather than school can feel like economic necessity rather than a moral choice.[58] However, Locke's framework does not allow this to be understood as justification. Structural poverty that leaves families unable to meet their basic needs without their children's economic contributions reflects a systemic failure that demands political remedy, not a condition that excuses the violation of children's developmental rights.[59] Particularly troubling is the phenomenon of children placed with secondary parents for ostensibly educational purposes but instead used as domestic helpers or commercial vendors - a practice in which children are denied both the care of their biological parents and the development that the arrangement was nominally intended to provide.

Early marriage, particularly in northern Nigeria where rates in some states exceed seventy percent for girls under fifteen,

57. Locke, Two Treatises of Government, 304.

58. World Bank, *Nigeria: Poverty in the Midst of Plenty* (Washington, DC: World Bank Publications, 1996), 89–94.

59. G. Psacharopoulos and M. Woodhall, *Education for Development: An Analysis of Investment Choices* (New York: Oxford University Press, 1985), 234–237.

represents an even more direct violation of Lockean principles.[60] In states such as Kebbi and Zamfara, girls are systematically denied the educational opportunities necessary for developing the rational capacities that Locke considered prerequisites for autonomous decision-making.[61] By contrast, southern states such as Lagos and Anambra, where the rate of early marriage remains below ten percent, demonstrate that these patterns are historically contingent rather than culturally inevitable.[62] Locke's concept of the age of reason holds that children cannot consent to binding obligations until they have developed the rational capacities necessary for autonomous decision-making.[63] When girls are married before completing their basic education, they are denied the intellectual development necessary to make genuinely free choices about their own lives.[64] The associated practice of bride price negotiations treats children as property to be transferred rather than as individuals with an inherent claim to rational development.[65]

Gender disparities in educational access give these violations a structural character that individual parental choices alone cannot explain. When families educate sons while withdrawing daughters from school, they effectively assert that rational development is a

60. National Population Commission, Nigeria Demographic and Health Survey 2018 (Abuja: NPC Publications, 2019), 245–248.

61. Girls Not Brides, *Child Marriage in Nigeria: Mapping and Analysis Report* (Lagos: Ford Foundation, 2016), 34–37.

62. Federal Ministry of Women Affairs and Social Development, Child Rights Act Implementation Report, 89–92.

63. Locke, Two Treatises of Government, 311–313.

64. UNICEF, *Ending Child Marriage: Progress and Prospects* (New York: UNICEF Publications, 2014), 67–70.

65. Plan International, *The Economic Impact of Child Marriage in Nigeria* (Abuja: Plan Nigeria, 2017), 45–48.

privilege rather than a right.[66] Girls who marry before fifteen are five times less likely to complete secondary education, and almost never acquire the advanced education necessary for full social and economic participation.[67] In northern Nigeria, where girls' enrolment rates lag twenty to thirty percentage points behind those of boys, this is not a marginal phenomenon but a systematic pattern of developmental deprivation.[68] The traditional argument that educating girls matters less because they will marry and assume domestic roles directly contradicts Locke's insistence that education develops rational capacities that are essential for everyone, regardless of the social roles they will eventually occupy.[69]

Economic barriers further entrench these inequalities. Although Nigeria officially provides free primary education, hidden costs create significant obstacles for poor families. When parents withdraw children from school during economic crises, treating education as optional rather than essential, they fail in their fiduciary duty to prepare their children for rational self-governance.[70] Studies indicate that children who leave school are unlikely to return, suggesting that temporary economic pressures produce permanent developmental disadvantages.[71] What Locke's

66. Locke, Two Treatises of Government, 299–301.

67. Population Council, *The Adolescent Experience In-Depth* (New York: Population Council, 2009), 123–126.

68. Federal Ministry of Education, Nigeria Education Data Survey (Abuja: Government Printing Office, 2017), 156–159.

69. Locke, *Some Thoughts Concerning Education,* 156–159.

70. C. Colclough and K. Lewin, *Educating All the Children: Strategies for Primary Schooling in the South* (Oxford: Clarendon Press, 1993), 167–170.

71. J. Caldwell, 'Mass Education as a Determinant of the Timing of Fertility Decline,' *Population and Development Review* 6, no. 2 (1980): 225–255.

framework ultimately demands, when applied to these realities, is not simply a change in individual parental conduct. It demands that the conditions making responsible fiduciary parenting impossible - structural poverty, gender discrimination, institutional weakness, and legal unenforceability - be understood as political failures requiring collective remedy. The reform of family practice cannot be separated from the reform of the social and economic structures that determine what choices parents actually have available to them.

Conclusion

This paper has argued that Locke's account of parental authority as a temporary fiduciary trust provides an indispensable philosophical framework for understanding and addressing the failures of child welfare that persist across Nigerian family and social life. His central insistence - that parental power exists not for the benefit of parents but for the preservation, education, and eventual autonomy of children - is not a foreign imposition on African family traditions. It finds genuine resonance with the communal ethics of child-rearing that underpin Yoruba, Igbo and Hausa-Fulani cultures, all of which recognise that children belong, in some fundamental sense, to the community rather than to their parents alone, and that parental authority carries obligations rather than merely privileges.

At the same time, the paper has shown that this convergence is partial and that the failures it identifies are real and serious. Child labour, early marriage, gender-based educational denial, and the induction of children into violence are not incidental departures from otherwise sound family practices. They are structural features of a social landscape shaped by poverty, patriarchal

custom, institutional weakness, and the inadequate enforcement of children's legal rights. Locke's framework names these failures clearly and without equivocation. No cultural tradition, no economic necessity, and no religious authority can justify treating children as instruments of adult interest rather than as individuals with an inherent claim to the conditions of their own development.

However, the paper has also resisted the temptation to apply Lockean principles mechanically or without sensitivity to context. The extended family systems, communal accountability structures, and indigenous educational traditions of Nigerian societies are not obstacles to the realisation of children's rights. They are, in many respects, resources for it. The challenge is not to replace these traditions with Western individualist frameworks but to strengthen and reform them - to build on their genuine commitments to collective responsibility and child welfare while challenging the practices within them that systematically deny children the developmental opportunities they are owed.

What Locke's framework ultimately demands, when applied to the Nigerian context, is not simply a change in individual parental conduct. It demands a transformation of the political and social conditions that determine what choices parents actually have available to them. Structural poverty that forces families to choose between their children's immediate survival and their long-term development is not a private misfortune - it is a public failure. Gender discrimination that systematically denies girls educational access is not a cultural preference to be tolerated - it is a violation of the equal claim of all children to rational development. Institutional weakness that leaves children's legal rights unenforced is not an administrative inconvenience - it is a political

failure that perpetuates harm. Locke's seventeenth-century philosophy was never merely about the family. It was always also about the political conditions under which freedom could be made real. That insight remains as urgently relevant in contemporary Nigeria as it was in the England of his own turbulent time.

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