

## INPUT FROM THE NATIONAL HUMAN RIGHTS COMMISSION OF NIGERIA ON CULTURAL DIMENSION OF RIGHT TO EDUCATION

### QUESTION 1.

Please provide information on how, in your country, the issue of respect for cultural diversity and cultural rights of each person is reflected in schools curricula (legislative, institutional and policy framework, and implementation)

### RESPONSE

Section 21 of the Constitution of the Federal Republic of Nigeria (CFRN) as amended provides. The State shall -

- (a) protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the fundamental objectives as provided in this Chapter; and
- (b) encourage development of technological and scientific studies which enhance cultural values.

Thus, this section of the Nigerian Constitution provides for cultural diversity. As a consequence of this, Cultural rights are applicable to school curricula. This also helps in actualizing Goal 4 of Sustainable Development Goals (SDG 4) which promotes inclusive education for all, leaving no one behind. The cultural diversity in Nigeria is enormous. It is widened by Western educational gap between the North and South. The North with predominantly Muslim population is lagging behind in education due to historical antecedents. In some parts of the North with respect to cultural rights, Hausa language is allowed for teaching in schools alongside English language. While in Southern parts of the country English Language, Yoruba and Igbo are used for teaching.

The Nigerian Government in its effort to further protect the rights of the child in 2003 signed into law the Child Rights Act (CRA). Article 15 of the Act states that, every child has the right to free compulsory and universal basic education and shall be the duty of government in Nigeria to provide such education. Hence, attendance at school is supposed to be free at the primary and secondary levels for all tribes and culture.

**QUESTION2.**

Please provide information on how, in your country, the issue of respect for cultural or diversity and the cultural rights of each person is taken into account in the organisation of the school systems (legislative. Institutional and policy framework, and implementation).

**RESPONSE**

The Education Policy of 6-3-3-4 school system of education introduced six years of Primary Education: three years of Junior Secondary, three years of Senior Secondary and four years of Tertiary Education. In promoting cultural diversity in education in Nigeria, the use of Hijab in school is also allowed for Muslim students. Likewise, prayers time is allowed for Christians and Muslims. Some Schools have mosques and churches attached to them. JAMB scores for Tertiary admission into Federal Government schools have been reviewed with different scores for different Geo-political zones in the country. This is to give opportunity to students from educationally disadvantaged states such as Adamawa, Bauchi, Bayelsa, Benue, Borno, Cross River, Ebonyi and Kaduna to gain admission into tertiary institutions. The same criterion also applies to Common Entrance admission into secondary schools.

In the informal sector of education, those who do not have opportunity to attend formal education are encouraged to acquire vocational skills. Government has also built schools for Almajiris (school age street children who go about begging for sustenance) in the Northern Nigeria.

Section 30, Article 2(c) of the Child Rights Act 2003 states that a child shall not be used for hawking of goods or services on main city streets, brothels or highways. This invariably, imply that parents should encourage children to go to school instead of hawking. In this regard, the Universal Basic Education 2004 (UBE) provides for compulsory, free universal basic education for all children of primary and junior secondary age in the federal republic of Nigeria. It further seeks to provide punishment for parents for failing to comply with its provisions. However, compliance is very low. Only states like Kaduna, Lagos and Katsina are compliant. Likewise, effort is on- going to ban Almajiri (school age street children who go

about begging for sustenance) system in the Northern parts of the country. This is meant to discourage street begging, encourage school enrolment, and discourage dropping out of school. To ensure compliance, government has launched massive sensitization campaigns both through Television and Radio stations.

In addition, Government Agencies like National Human Rights Commission, Ministry of Woman Affairs and Social Development, etc. organize sensitization and awareness programmes and dialogue sessions on the right to education. Such programmes are carried out in town hall meetings with traditional rulers, Faith Based Organizations (FBOs), parents and guardians to discourage child marriage and attendant issues. Traditional rulers who are custodians of culture are usually targeted to drive the message to the grassroots.

### **QUESTION 3.**

**Please clarify to what extent the measures described above relate not only to the issue of language in education (in this regard, please briefly explain the context and provide details on the state language policy) but also to the arts, heritage, science, history, values and religions, or world views and ways of life, in all their diversity.**

### **RESPONSE**

Sections 21 and 38 of the Constitution of the Federal Republic of Nigeria 1999 as amended respectively state that:

**21.** The State shall -

(a) protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the fundamental objectives as provided in this Chapter; and

(b) encourage development of technological and scientific studies which enhance cultural values.

While section 38 provides that:

(1) Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in

community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.

(2) No person attending any place of education shall be required to receive religious instruction or to take part in or attend any religious ceremony or observance if such instruction ceremony or observance relates to a religion other than his own, or religion not approved by his parent or guardian.

(3) No religious community or denomination shall be prevented from providing religious instruction for pupils of that community or denomination in any place of education maintained wholly by that community or denomination.

(4) Nothing in this section shall entitle any person to form, take part in the activity or be a member of a secret society.

Nevertheless, in Nigeria, there is no official language policy. Nigeria has a multilingual policy according to National Policy on Education (NPE, 1981). However, only Hausa, Igbo and Yoruba are the major languages spoken by the majority of citizens and this has assisted in the spread of these languages in the primary schools. There are no plans for a national language policy or support for any indigenous language as a national official language. Section 1 paragraph 8 of the National Policy on Education (NPE, 1981) states that:

“In addition to appreciating the importance of language in the educational process and as a means of preserving the people’s culture, government considers it in the interest of national unity that each child may be encouraged to learn one out of the three major languages other than his own mother-tongue. In this connection, the government considers the three major languages in Nigeria to be Hausa, Igbo and Yoruba”.

This does not give equal rights to all other languages. The adoption of English language as the official language of Nigeria is impacting negatively on the growth of many indigenous languages. Such practice is discriminatory, hence other indigenous languages from the minority ethnic groups should be given equal representation.

Arts play significant role in all cultures and societies. The National Institute for Cultural Orientation is a state agency with the responsibility of harnessing Nigerian’s

cultural resources to meet the challenges of social integration, peace, unity and national development. This is reflected in Nigerian's music, dress code, dance, costumes, food, and religion among others. These responsibilities are carried out by organising sensitization and awareness programmes.

The Ministry of Science and Technology is considering the use of indigenous languages in the teaching of science (physics, chemistry, mathematics) as a way to make students have interest in science subjects. However, the dearth of human capacity in such area will be a constraint.

#### **QUESTION 4.**

**Please clarify specific and particular difficulties encountered in ensuring an inclusive and quality education that allows cultural diversity and cultural rights of each person to flourish at the same time.**

#### **RESPONSE**

Sustainable Development Goal (SDG) 4 aims to “ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.”

Nevertheless, several factors hinder inclusive and quality learning in the Nigerian school system. Such factors include, corruption, insecurity, infrastructural deficit, lack of teaching aid, lack of political will, poor funding of education, lack of motivation for teachers, amongst others. These issues pose serious constraints towards the realization of the Sustainable Development Goals (SDG 4) meant to leave no one behind.

In Nigeria, the system of education is not inclusive. There is disparity between normal children and children living with disability in accessibility of education. There is discrimination against People Living with Disabilities (PLWD) in the classroom, planning, admission and implementation. This is as a result of lack of facilities such as braille readers, braille machine, and wheel chairs, etc. However, there has been a lot of advocacy and sensitization programmes with positive response and the enactment of the Discrimination Against Persons with Disabilities Act (Prohibition) Act 2018. But, implementation and enforcement are the likely challenges.

Economic factor also hinders the implementation of inclusive and quality education for all especially those living with disabilities. For example, poor parents of children with visual impairment are constrained economically to sponsor the education of such children.

Government's inadequate funding for the education sector has been a major constrain towards ensuring quality and inclusive school system. This results into employment of inadequate number of personnel, non-provision of electricity in schools, inadequate teaching and learning aids.

There are other factors that affect the state of education which include negative attitude of the society towards People Living with Disabilities (PLWDs) (which affects their emotional and psychological wellbeing). However, the Disability Act states that:

- (1) "A person with disability shall not be discriminated against on the ground of his disability by any person or institution in any manner or circumstance"
- (2) A person who contravenes subsection (1), commits an offence and is liable on conviction to, if the person is-
  - a) a body corporate, a fine of N 1, 000, 000; and
  - b) an individual, a fine of N 100,000 or six months imprisonment or both.

Furthermore, other difficulties towards achieving the right to education include, no consideration for ramps for people on wheel chairs, no separate sanitary facilities, and no separate recreational facilities, insurgency in the North- East and North - West, farmers herders clashes, kidnapping and banditry.

**QUESTION 6. What recommendations should be provided to states and other stakeholders on these issues?**

**RESPONSE**

- Government should improve the economic conditions of families and award scholarship to deserving disadvantaged students.
- Civil Society Organisation (CSOs) should be at the heart of SDGs implementation.

- Education should be prioritized and workers must be recognised as agents of critical change which leads to equality and inclusion
- Government should review the education policy and come up with an indigenous system of education
- School Bus to and from school should be provided for school children to ensure accessibility for all.
- Establishment of more vocational and technical centers
- Need for Independent Inspectorate Committees
- Quality and affordable education should be made available
- Equal opportunities for all Nigerians
- Regular review of schools' curricula to adopt new topics
- Introducing online registration for national examinations
- Education conferences should hold regularly across the country
- Teachers and Instructors should have capacity in the medium of instruction in order to communicate effectively with Pupils and Students.