

PUBLIC EDUCATION FROM THE COURTS OF LAW IN NIGERIA

OLUKA GABRIEL MBIEWA

*Department of Educational Foundation and Management,
Ignatius Ajuru University of Education,
Port-Harcourt.*

Abstract

Court education, no matter how taught and learnt tends to be memorable, fresh, interesting, acceptable, or totally bitter, disgusting, consternating and recuperating. Here, the court administering justice for public education is a school. The common man seem to believe that the grey haired court room teacher is wise, learned and worthy of his last confidence, last assurance and last hope in the truth, the whole truth and nothing but the truth. There, in the court class room, he learns the unforgettable court lesson, the truth which might remain with him and either make him virtuous, wicked, dead or alive. The problem today is, some courts of law in Nigeria seem to have completely removed their blindfold and can see every pocket clearly. They tend to use the scale balance judiciously in weighing money and related assets of litigants thereby, teaching the common child a different lesson from the courts of law. Therefore, this paper is an attempt to look at public education from the courts of law and to make possible suggestions for improvement of justice for good education of Nigerians and the world.

The judiciary and their courts of legal jurisdiction in Nigeria are identified with a common symbol of a blindfolded woman who is carrying a sword in her right hand and a scale balance in her left hand. The woman tends to represent qualities of good motherhood. Her sword and her right hand seem to stand for the power of a mother to administer threat and fair punishment to her children who commit offence. The blind fold seems to present the woman as impartial in any dispensation of justice. The scale balance is intended to weigh disputes and find its balance before cutting with the swords of justice at the points of law. Invariably, the woman symbolizing the judiciary is the first teacher of the child where, every court case so judged tends to teach a lesson.

Walsh (2012) reported that the Federal district court sitting at Pennsylvania, judged in favour of wearing the boobies hand bracelets in schools, in a case no. 10-6283-supp. 2d-2011 WL. 13761H (ED.Pa.Apr.12, 2011) between Brianna Hark aged 12, Kayla Martinez age 13 years and the district schools board. Contrarily, NSBA (2012) reported that the Federal districts court sitting at Indiana rejected a request to bar Wisconsin district from prohibiting the wearing of the “ I (heart) boobies bracelets” in

Prairies district schools, in a case no. 11-622 (WD. Wis. Feb. 6, 2012, between K.J and suak Prairies district schools. According to Legal clips (2012) the Wisconsin federal district court disagreed with the Pennsylvania counterpart, stressing that the advertising campaign “I love Boodies (keep a breast” uses these hints of vulgarity and sexuality to attract attention and provoke conversation, a ploy that is effective for its target audience of immature middle students (Please see figure 1).

Figure 1. I (heart) boodies hands Bracelets



Source: Google search (2015) dailymail.co.uk/news/article-2778429.

The Judgements on wearing the hands bracelets in schools tend to be fairly controversial but very educative. Josh Gardner (2014) reporting for dailymail posited that it cost Pennsylvania taxpayers \$400,000.00 following the protracted court battle over a period of four years. The judgement prohibiting the wearing of the hands bracelets seem to have bearings on school governance, students’ right, code of conduct, mode of dressing, school discipline and even the legal system. Here, the girls, the school district board and the general public learnt their lessons from the court of law which stated that the hands bracelets constitute other attraction in school. Thus, the

judiciary and their courts of law seem to be a well organized school for public education. Without this court education, the school management might not be able to control the wearing of all sorts of bracelets.

These seem to indicate that human education tends to take place where there is human life and agencies of education such as the law court. People learn in places, phases and periods which might be classified into ante school, preschool, and post school places and periods. Education tends not to be restricted to period of age, times and places of study in formal educational institutions. Similarly, learning seems to continue after formal school and without post school education, the normal man might be living in the past, lacking in modern education indicative in character and reasoning.

According to Aman (2012) Communicating agents are the means, the sources and the ways of learning to achieve some goals of education in different institutions which exercise educational influence on the child.

Types of Agencies of Education

1. Informal Agencies

These agencies of education include the family of birth, the society, peer groups activity groups, and professional organizations. Informal agents tend to be formed or grow naturally from human relationship. They observe societal rules and seem to impart education directly and indirectly through associates, parents, family members and the community.

2. Non-Formal Agencies of Education

Non-formal agencies of Education are not limited to courses organized for after school learning, correspondence courses, and Open University programs. These are out of school courses for adults and people who have no chance for formal education in school, colleges and universities.

3. Formal Agencies of Education

Formal agencies of education are deliberately planned institutions of society for education. These institutions differ according to their objectives, curriculum, place of study, time of study, and certificates awarded to graduates.

4. Passive Agencies of Education

Passive agencies of education include the electronic media such as the Radio, Television, Telephones, computers and the print media such as Books, Magazines, News papers, and Rooms including Libraries, Laboratories and stores rooms. Some passive agencies such as the computer and television make shadow face contact which cannot be returned face to face live. These types of passive agencies produce passive

influence in education where the teacher can be heard but not seen or seen in picture but not live face to face.

5. Active Agencies of Education

Active agencies of education are the agencies which make determined efforts including physical contacts and entertain participation of the teacher, or the educator and the learner or recipient of education. These active agents include the home, the family, the community, the school, the court of law, the church, friends and peer groups. Active agents actively engage in two way lively interaction in the processes of learning and teaching. Here, the teacher and the learner make face to face contacts as it is in a class room or the court room of legal jurisdiction where the teacher who is the chairman, the magistrate or the judge influences the learner and the learner returns influence.

Functions of Agencies of Education

These agencies perform educational functions not limited to:

- i. Transmit traditions, customs, laws, values and related cultural heritage which shape interest, skills, knowledge, attitudes or personalities of a people from generation to generation.
- ii. Create new educational standard, pattern, culture and improved laws to meet changing needs of the society.
- iii. Conserve the cultural heritage of the people through ways not limited to teaching, learning, provision of books, materials and organizations.

The Judiciary as an Agency of Education

Aloma (2013) defined the judiciary as the third organ of government vested with the power to interpret the laws and punish offenders; it is the final arbiter of justice.

Court Room and Justice as Agencies of Education

“The court room is the temple of justice” and according to Aloma, the concept of justice in itself:

“Is that of moral rightness based on ethics, rationality, law, natural law, religion, equity or fairness, as well as the administration of the law, taking into account the inalienable right of all human beings and citizens, the right of all people and individuals to equal protection before the law of their civil rights without discrimination on the bases of race, gender, sexual orientation, gender identity, national origin, colour, ethnicity, religion, disability, age, or other characteristics, and is further regarded as being inclusive of social justice”.

The Law as an Agency of Education

Aloma (2013) posited that originally, laws whether written or unwritten were made to mould people's behaviour in which case, it becomes an offense punishable under an existing law for one to take into possession another man's property without his consent and approval. Here, we seem to see the law, the court and judiciary as agents providing education. Amaele (2005) in his view of the Etymology of education defined education as derived from the Latin words "educare" which means "to mould or make" in which case, the individual is seen or perceived as one who should be made from nothing to something or "educere" which means "to lead out", "to uphold" "to build" with regards to building the individual potentials.

What is Education?

Wikipedia (2013) defined education as a form of learning in which the knowledge, skills, and habits of the individual or group of people are transferred from one generation to the next through teaching, training, or research.

What Form of Education is the Judiciary Transferring from one Generation to the Next?

Bertran (1940) in his book titled "Education for good life" postulated that:

"If you give a man the right type of education, he will be virtuous", if you give him the wrong kind of skills or none at all he will be wicked".

(Please see figure 2.)

Figure 2: People who were given the wrong kind of Education in the Court Classroom.



Source: The Editors Stable, Crime World (2013).

The Crime World in figure 1 shows the people who learnt terrible lessons from the court of law, the supposed temple of justice and were disgusted by their lesson. One of the men who learnt his lesson said "NO! LET ME DEAL WITH HIM!" He points to the picture of a man who looks like the chairman of a customary court, the Magistrate of a Magistrate court, or the Judge of a High Court and seems to be saying, you are a bad chairman! You are a terrible Magistrate!! You are the worst teacher!!! The Comrade said "CALM DOWN COMRADE, YOU DON'T NEED THIS, DON'T WORRY, THE PERPETRATOR WILL BE PROSECUTED" What a lesson from the man like chairman, the man like magistrate, the man like the judge, the wise man, the learned man, the court teacher, the truth, the whole truth and nothing but the truth, so help us God.

If the teacher has taught them wrong skills, they will definitely be wicked. If he has taught them the right type of education, they will be virtuous. Types of wicked education seem to have spoiled many good youths. Despite the effort of teachers or lecturers in formal educational institutions of learning to correct, educate and re-educate, it tends to continue to make more people wicked. Court injustice as a result of

weighing money in millions in their order of “criminal or civil cases” instead of weighing the truth in the case, and cutting from the point of law, seems to have killed even many innocent Nigerians.

The crime world Magazine lamented the presence of crime in the nation’s judiciary. Reporting from the Editor’s stable, Albert (2013) related:

“The rot in the nation’s judiciary caught our attention and as usual, we bring you reasons why the empire of justice and hope of the common man is wallowing in the cesspool of corruption instead of upholding the oath of office. We are equally pained by the degree of the nation’s sordid record of unresolved murder cases consequent upon shoddy investigation”.

The crime world (2013) cited cases including comrade Olaitian Oyerinde, the Private Principal Secretary (PPS) to Governor Adams Aliu Oshiomole who was said to be gruesomely murdered on March 4, 2012 at his 2nd Ugbor Road GRA Benin City by supposed casual armed robbers. In the same way, a student was stabbed and terribly wounded in an attempt to kill him in his father’s house on June 13, 2012 because his father won land cases against them. His killers were discharged and acquitted. One might tend to think that the family in figure 1 is very lucky because they have a comrade who promised that the perpetrators will surely be prosecuted. Contrarily, the killers in the case of the poor student have “a colonel” who is an extended family member of the killers in their support. In the village, the requited fellows played their victory music of “the court made worst Beast of England”. They dressed in their cult attire and their very loud music was:

*“Money is good to get O..... Money is good O.....
If you will win a case is money.
If you will eat a good food is money.
If you will marry a good wife is money.
If your wife will marry you well is money.
Money is good O.....”*

Some Implication of Court Actions on Education

1. Change of Character

When the written and unwritten laws according to Aloma (2013) which was originally made to mould character fails, it tends to mould and teach crimes. It therefore, affects the character of students who suffered injustice in the court of law. This change of character also impacts the friends of that student and the school. The change of character might be in progression from good to bad, bad to worse, and worse to worst. These might affect the tone of the school, the management and administration. According to Aloma (2013) the foregoing is a clear indication that the Nigeria judiciary,

the empire of justice has been deluding in the cesspool of corruption, albeit unreported high conundrums of unprofessionalism thus, raising questions. Shameful entanglement of senior and revered members of the Bar and Bench in crisis of integrity and unethical practices is a further confirmation that litigation in Nigeria is no less rhetorical and a mere academic exercises.

2. Self Protection

When the rot in the nation's judiciary which was reported by Albert (2013) could no longer permit the laws to protect and be the last hope of an innocent common student or the common man, a student who saw his friends being brutally killed and the student who escaped death from killers might become afraid and look for protection from people who offer them because the law discharges and acquits felons at the count of money. These types of self protection tend to increase the burdens of the school management and administration.

3. Want to make Money

Some students who have suffered from court injustice because of money tend to want to make money by all means. Some have watched their parents being ridiculed in court because they were poor and common. This tends to drive students into unwanted actions which affect the school and the students such as dropping out of school.

4. Not Wanting to go to Court

Some people who have suffered from wrong court education no longer want to go to court. They prefer to act and die without another court injustice. They ask, why go to court?

5. Blaming Education.

Some court rooms are usually filled with people. Those who cannot find a seat hang outside in the corridor. These people listen to court proceedings and judgment. They know the good and the bad Magistrates, Chairmen and Judges. These members of the public tend to be worried about the type of lessons they learn from the court class rooms. When the injustice is clearly understood, they tend to blame the schools for graduating people who are not qualified in character and learning. At last, they attribute this to falling standard of education. Beside, such reports of justice and injustice tend to be read all over the world as in the case of wearing hands bracelets in American schools.

Conclusion

Court judgement is one valuable contribution of the judiciary to education. However, their judgement tends to be very delicate as a means of public education. Court judgement provides good education if delivered with legal justice but makes more

Nigerians and the world wicket if court judgement is delivered from the grade point of money in millions for criminal and civil cases which tends to deprive the common man of his last hope for justice today.

Suggestions

Suggestions and recommendation for improvement of justice for good public education are not limited to the following:

1. Not less than three people should preside over cases and deliver judgment in Magistrate courts. By this arrangement, one or two of them might stand against injustice.
2. The Chairmen, the Magistrates and the judges whose character are contrary to the code of conduct for judicial offices should be dismissed.
3. Secret observers and non secret reporters should be empowered to visit courts and litigants in order to hear and see things for themselves.
4. Government should take up cases that are badly tried.
5. Youths should be protected from wicked court room education through delivery of justice.
6. All court proceeding and judgments in Nigeria should be made available for reading and studies on the internet as in the case of wearing hands bracelets in American schools.

References

Aloma, Muktar, CJN (April, 2013) *Crime Word Magazine*. Nigeria: Editorial.

Aman, Sharma(2010) *Agencies of Education*. Joom (Art.com)

Amaele, Samuel (2005) *Understanding the Philosophy of Education*. Ibadan, Nigeria: Bounty Press.

Bertrand, A.U. Russell (1940) *Education for good life*. London: George Allen and Union.

George, Orwell (1945) *Animal farm*. London, England: Secker and Warburg.

Josh Gardner (2014). www.dailymail.co.uk/news/article/2778429

Mark Walsh (2012) *Education Week*. America: WWW.edweek.org.

NSBA (2012) *Legal clips*. America: <http://legaclips.nsba.org>.

Prince Albert, O.A. (April, 2013) *Crime Word Magazine*. Nigeria: Editor's Stable,
Editor-in-Chief

Wikipedia (2013) *Education*. Mobile Media, Wikipedia, the free Encyclopedic
Dictionary. <http://en.wikipedia.org>