

# EQUALIZATION OF EDUCATIONAL OPPORTUNITY IN NIGERIA: CONSTRAINTS AND THE WAY FORWARD

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## **Abstract**

Equal educational opportunity means that the school's obligation is to provide an opportunity by being available within easy geographical access of the child, free of cost (beyond the value of the child's time) and with a curriculum that would not exclude him from higher education. The problems associated with the implementation of equal educational opportunity in Nigerian constitution were what drew the attention of the writer. The paper thus, highlighted such problems and suggested some ways forward.

## **Introduction**

Education in any given society has always been regarded as a strong weapon for nation building. It has a role to play in the economic political and social growth and development of any nation. Ulinfun (1993) maintained that the development of educated people is the most important capital formation and their number, quality and utilization are the meaningful index of the wealth-producing capacity of the society. Supporting the above statement, Drucker (1959) stated that the pressures of economic change are such that the highly educated/trained man has become the central resource of today's society.

The importance of education to any society, Nigeria inclusive, cannot be over emphasized. Onah (1998) had it that education is an instrument par excellence for effecting national policy and it is the greatest investment that a nation can make for quick development of her economic, political, sociological and human resources. He maintained that, the struggle of the Nigerian Youths to gain access into the various levels of education in Nigeria was as a result of the belief that the school holds promise of social upliftment.

## **Equality of Education**

Equality comes from the word equal. Equal is defined as "having one measure; the same in magnitude; quantity, degree, worth, evenly balanced, level or uniform in operation.

Equality of education means that educational policy in a state or nation should have one measure, reaching all the territorial integrity of the state, for all the citizens of the state to receive equal educational opportunity. It is the responsibility of the state to see that this policy is made and enforced to the benefit of her citizens' education, without discrimination whatever.

Equality of educational opportunity implied that any two children of the same abilities shall receive equivalent forms of assistance in developing those abilities, whatever their parental circumstances are. Equality of educational opportunity exists when a child's educational opportunity does not depend upon either his parent's economic circumstances or his location within the state. Agbarevo (1996) held that equality of educational opportunities could also be seen as the provision of education needed by every Nigerian citizen with respect to his abilities and potentials to enable him live a productive life in the society that is devoid of discrimination on the basis of ethnicity, religion, sex and socio-economic background. This means that every Nigerian citizen should be able to fit into the educational system including the precarious and the handicapped.

## **The Need for Equal Education in Nigeria**

The provision of equal educational opportunity has been a central theme of educational system round the globe. In the middle of nineteenth century, Horace Mann and other reformers fought for the extension of the common school system in U.S. They had a goal to help children from low-status families. Their public school system becomes the first in the world to aim at providing all students with educational opportunity through high school and post secondary levels, (Ornstein and Levine, 1985). The development of equality of educational opportunity was one of the most hopeful and civilized features of western industrialized societies. Equality of educational opportunity makes the unacceptable acceptable. Musgrove

(1979) marked the persistent differences of power and position in a deeply unequal society. He wrote that education is a very important means of advancement in life.

The importance of education for equality cannot be overemphasized. Education is the foundation for individual and national development without which the state cannot exist. The state operators must be educated for them to govern the state. Ulinfun (1993) had it that education helps to prepare men and women who direct and carry out the varied activities that sustain the society. Education provides the man power for the political, economic and social institutions upon which the state revolves.

### **The 1999 Constitutional Provisions for Equal Education in Nigeria**

The 1999 constitution of the Federal Republic of Nigeria in its fundamental objectives and directive principles, which is the chapter 2 of the constitution provides in section 18 (1) as follows.

"Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels". This implies that the state has the responsibility to get her citizens educated. Section 18 (3) provides that the "Government shall strive to eradicate illiteracy, and to this end provide,

- (a) Free, compulsory and universal primary education,
- (b) Free university education and
- (c) Free adult literacy programme. Based on S. '18' sub sections (1), (2) and (3) above, the state is mandated to provide for her citizens equal educational opportunity which is void of any impairment such as sex discrimination, place of origin, religion or physical disability.

### **The Current Constraints to Equal Educational Opportunity in Nigeria**

#### **Problems Associated, with the Constitution**

- (a) **The Placement of Section 18 (1) (2) and (3) in the Constitution-** The constitutional provision of section 18 (1), (2) and (3) has a lot of problems associated with its placement in the constitution. This section '18' that provides for equal and adequate educational opportunities is contained in chapter 2 of 1999 constitution, which is the fundamental objectives and directive principles of the state policy and as such, it is not justifiable. This means that where the Government does not provide for equal and adequate educational opportunities in Nigeria, such Government cannot be forced by the court or otherwise to do so.
- (b) **Indiscriminate Policies on Education** - Any Nigerian government can embark on any policy of her choice in relation to education. For example, where the Federal Republic of Nigerian Government in 1992, introduced the quota system of admission into her tertiary institutions and directed that the following formula should be applied to admissions.
  - (1) Merit 40%
  - (2) Catchment Area 30%
  - (3) Disadvantaged States 20%
  - (4) Discretionary 10%

Just imagine where the merit level is only 40%. Many educationally able Nigerians were denied admissions based on this policy thereby creating a lot of imbalances and instabilities in the Nigerian educational system. No Nigerian citizen or group can successfully sue the government on the basis of the above and for the failure to keep her educational policy based on section 18 of the 1999 constitution.

- (c) **The Provisions of Section '18' is Merely a Directory not Imperative-** The Government can decide to keep to what the provision says or to abandon it. Hence, the Government is not controlled by the provision.
- (d) **Education is not a Right in Nigeria.** Article 26 of the Universal Declaration of Human Right of 1948 states that everyone has the right to education, and it shall be free at least at elementary stage, (Areo, 1979). Under the 1999 constitution chapter 4 which provides for fundamental rights of the citizens, right to education is not inclusive, and this creates disability on an aggrieved person or one who is educationally aggrieved to sue the government on the basis of right to education. Hence education remains a privilege, which ought not to be so.

- (e) **Education in the Concurrent Legislative List:** The idea of retaining education in the concurrent legislative list is another predicament to realizing and achieving equality and adequacy of education in Nigeria. This means that the issue of education can be legislated upon by both the federal and the state legislative houses as it stands till date.

### Sec below

Second schedule, legislative powers, part II

Paragraph 27-30 of the 1999 constitution.

**28:** "The power conferred on the National Assembly under paragraph 27 of this item shall include power to establish an institution for the purposes of university, post-primary, technological or professional education.

**29:** Subject as herein provided a House of Assembly shall have power to make laws for the state with respect to the establishment of an institution for purposes of university, professional or technological education.

**30:** Nothing in the foregoing paragraphs of this item shall be construed so as to limit the powers of a House of Assembly to make laws for the state with respect to technical, vocational post -primary, or other forms of education, including the establishment of institutions for the pursuit of such education".

- (f) **The Issue of Disparity:** The provision of retaining education in the concurrent legislative list

creates an unhealthy disparity between the citizens of equal status of a common country. For example, during the second Republic, Unity Party of Nigeria (U P N) controlled states in the western part of Nigeria had free education at all levels, and because the university education was still mainly within federal control, bursaries were given to undergraduates from those states by their state governments to cover their expenses in the universities. Such states were Lagos, Oyo, Ondo, Ogun and Bendel States, (Akande, 1982). Out of the 19 states, five states only were able to carry out the above, where as the students from other 14 states were battling on individual basis to get what the government is giving free to others. Does this make for equal educational opportunity for all Nigerians? No.

### **The Problems of Cost of Education in Nigeria**

Due to the existence of multiple educational policies from both federal and state governments, there are policy disparities in management and funding. The state-managed institutions are very costly as compared to federal government-owned institutions. Everybody will take to where the cost is cheaper, but the federal government institutions are limited and cannot afford all Nigerians willing to read the chance, thereby frustrating those who want to read because they cannot afford the cost of state owned institutions.

It is disheartening to see Nigerian youths drop out of schools just because they cannot afford the cost. Researchers maintained that education forms the strongest weapon for nation building. We are what we are today because we have passed through some stages of educational process yesterday. Educated persons make for a literate society and when we have a literate society, the electorate can be mobilized to perform their civic duties, labour unions will have no cause for industrial disputes students will be at peace in various campuses and there will be better life for everybody. **Quota System:** The introduction of quota system is a bane to equal educational opportunities to Nigerians. The makers of the policy told us that they wanted to use it to assist the educationally backward states. Their philosophy is that those who are ahead of others educationally should be restricted or delayed or made to wait for their colleagues.

Quota system of admission provides for preferential treatment to candidates from the so-called educationally disadvantaged states of the federation. The policy, the government says is aimed at correcting the educational imbalance between the geographical areas. The government in 1992 directed that the following admission formula be in place

- |     |               |     |     |                 |     |
|-----|---------------|-----|-----|-----------------|-----|
| (a) | Merit         | 40% | (b) | Catchments Area | 30% |
| (c) | Disadvantaged | 20% | (d) | Discretionary   | 10% |

The Government thus, neglected the report of the commission on Review of Higher Education in Nigeria by the year 2000 which recommended a gradual reduction of the percentage vacancies reserved for the educationally disadvantaged states, and to phase it out by the year 2000, in which their admission formula is as follow:

Merit 70% Catchments Area 20%  
Disadvantaged - Discretionary 10%, (Agbarevo, 1996).

### **Problems Associated with Quota System**

The principle of quota system of admission does not portray the enthronement of equal educational opportunities, rather it destroys it. Quota system destroys equality of education in the following ways.

- a. It deprives some people the opportunity to acquire education
- b. It destroys meritocracy. It does not consider the principle of merit rather it is based on geo-ethnic learning.
- c. Quota systems destroys the man-power production of the nation by depriving some of our citizens the rightful access to equal education.

### **The Way Forward**

This 21<sup>st</sup> century which is the age in which if any state does not improve or take her place in the area of science and technology, such a nation will not be reckoned among the advancing nations.

No nation that closes her eyes in the area of academic development with particular reference to science and technology and other areas of academic endeavours will be seen as worth its existence. Such a state will end up being a dumping ground to other nations.

Therefore, the policy on equality of education with all necessary infrastructures for its enforcement should be:

- (a) properly put in place and made mandatory that every regime must vigorously pursue it. This means that section '18' of 1979 constitution, should be included in the present constitution and should be made imperative so that the government should not derogate from it,
- (b) where any regime fails to keep on (enforcement and financing) with the policy, such government should be dragged to the court of law to compel it keep to the provision of the constitution,
- (c) the 'a' and 'b' above can be achieved if what is contained in section 18, of the 1979 constitution, is adopted into the 1995 draft constitution and be made justifiable. I am strongly arguing that this be done,
- (d) to achieve quality and equalization of education in Nigeria, the government should make .a uniformed policy on quality and equality of education, and such policy must be realistic both in principle and practice,
- (e) education should be made a right in Nigeria. The cost of ignorance is so enormous that one cannot compare it with what one spends to acquire knowledge. A nation whose citizens are uneducated will spend much more than a nation whose citizens are educated. Such a nation will more or less depend on other nations to import man-power; machines etc and their resources will be siphoned abroad like in the colonial days. It is on this basis that I suggest that education be made a right in Nigeria. After all, who gains at last? The state that spends money to train her citizens gains at last,
- (f) nomadic and the handicapped: Many people have recognized that educational opportunities should be extended not just to the disadvantaged students but to the handicapped students as well as the nomads. Policy on equality of educational opportunities should be all-embracing, reaching to all citizens without any iota of discrimination and
- (g) if education should be left in the concurrent legislative list where both the federal and the state government can legislate upon, it should be harmonized in such a way that equal opportunity should be given to all Nigerians to read. This means that there will be no disparity in the area of provisions of fund, infrastructures and manpower.

The cost and access to education should be the same throughout the federation, whether such is federal or state owned institutions. The responsibility of the state is to put in place all mechanisms, procedures or institutions that will lead to granting and achieving equalization of educational opportunities to the citizenry. However, it is obvious that not all the citizens will exploit the opportunity if given by the state but let it never be said that the government is responsible for a deprivation of such opportunity to acquire education, instead let such inability be as a result of the

individuals own choice or peculiar circumstance. There is no doubt that this will create the basis of equal opportunity for all.

- a. **Subsidize Education Cost:** Both government and private sectors should be made responsible to fund education with the aim of subsidizing cost of education in Nigeria if complete free education is not yet practicable in Nigeria. This will help even the children of local farmers to go to school and be educated.
- (b) The idea of federal government subsidizing education in federal owned institutions with subsequent and continuous assistance in terms of money and material resources, without such regard and concern to institutions owned by the state and other individuals should be stopped. Nigeria is the largest populated black nation in the world. Nigeria is endowed naturally with different kinds of natural resources ranging from oil to solid minerals. It is expected of this country to rank with other industrialized nations of the world in this 21<sup>st</sup> century. Before now, Nigeria has suffered lots of setbacks from her leaders and this could be attributed to lack of proper educational foundations to the state operators and due to unviable policies and selfishness. Any nation in this 21<sup>st</sup> century that could command influence, respect and honour should be able to get her citizens trained as professionals in the field of science and technology, engineering, etc and be capable of getting herself industrialized as nation. Nigeria has all it takes to get herself industrialized as soon as possible. There is only one road that could lead this nation towards achieving this with relatively easiness before long. This road is to offer equal and qualitative education to all her citizens at all levels.

One may argue that the cost is so much, but Nigeria will pay more and remain underdeveloped if her citizens remain uneducated. Nigeria may not rise to become an industrialized nation despite all the huge natural resources she has. To the handicapped, the government should provide for them the kind of education that will suit them. Their academic programmes should be made more vocational depending on the nature of the disability and interest. The blind can be provided with Braille machines. Others could be provided with fabrication machines and tools for shoe and bag making and other crafts for the enrichment of Nigerian economy, instead of begging on the streets. The government should reactivate the handicapped institutions and should no longer leave them to charity organization alone.

I suggest that special budget should be made available to the handicapped from the national yearly budget to take good care of the handicapped.

### **Equal Education in place of Quota System**

Equal education is geared towards providing equal education to those who are educationally disadvantaged. This it will do by.

- (a) Providing educational institutions to them.
- (b) Providing properly trained man-power to facilitate equal education to the less advantaged.
- (c) Creating adequate incentives, such as providing books, clothes, etc. for the students.
- (d) Enacting enabling law to make education compulsory to a certain level in such disadvantaged states.
- (e) Providing for adequate funding for education Osuoha (1998), emphasized the need for -adequate funding for any meaningful quality education at any level in Nigeria. She maintained that for Nigeria to run and maintain any meaningful and qualitative education at any level there must be a cautious approach (by the federal government of Nigeria) towards adequate funding for such education.

### **Conclusion**

In conclusion, great and industrialized nations are not products of chance, but of a skillful planning and execution of such plans towards achieving an intended goal, education being the bedrock that sustains its super-structure. Nigeria can achieve as much if she gives equal educational opportunity to her citizens by systematic removal of all the constraints to equal education at present.

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