

# PROMOTING WOMEN'S EDUCATIONAL RIGHT AND ITS IMPLICATIONS FOR NATIONAL GROWTH AND DEVELOPMENT

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## **Abstract**

The paper assessed the importance of women's right to education and implications for national growth and development. The study adopted qualitative methodology adopted that consists of book base analysis. Promoting educational right of both sexes is a major concern of the writers especially as it affects the female gender. Women are discriminated against in Nigeria. However, the tide is changing. Many Nigerians have access to education and the re-orientation of Nigerians (with respect to women's rights) has been improving. The paper highlighted that the UN Charter recognized the principle of human rights and fundamental freedoms should be enjoyed by everyone 'without distinction. Since then, international human rights instruments have repeatedly affirmed that women and men must equally enjoy the human rights they enumerate, without discrimination on the ground of sex. The paper contends that notwithstanding women's education is critical to the country's entire growth and development. It's similar to an effective medicine that may know how to cure a patient and recover their health. A well-educated woman is capable of managing both her personal and professional lives. The paper concludes that states have an obligation to take deliberate, concrete, and targeted steps, according to maximum available resources, to move expeditiously and effectively towards the full realisation of the women's educational right in Nigeria. Based on conclusion, it was recommended that: there should be availability of adequate infrastructure; technological accessibility for those unable to attend school, such as through information and communication technologies in distance and open learning settings; and economic accessibility, which means education, should be free from pre-school to the secondary level and progressively free at the tertiary level.

**Key words:** women's right, national growth, development, education and law

## **Introduction**

The 20th century was characterized by the women's movement, which brought women to the forefront in a variety of societal arenas. As women won the right to vote, achieved reproductive freedom through birth control and legalized abortion, and gained access to education and employment around the, Western culture was forced to examine its long-held views about women and the roles they play in the society. Owomoyela<sup>1</sup>, promoting educational right of both sexes is a major concern of the writer especially as it affects the female gender. Traditionally, women are marginalized and enjoy disproportionate educational opportunities

in Nigeria. However, the tide is changing, but a lot still need to be done. Many Nigerians have access to education and the orientation of Nigerians (with respect to women's rights) has been improving. With the return to democratic rule in Nigeria in 1999, many laws have been promulgated in Nigeria to improve the status of women in the country.

Women around the world regularly suffer violations of their human rights throughout their lives, and realizing women's human rights has not always been a priority to many governments. The United Nations has a long history of addressing women's human rights and much progress has been made in securing women's rights across the world in recent decades. Owomoyela<sup>2</sup> observed that achieving equality between women and men requires a comprehensive understanding of the ways in which women experience discrimination and are denied equality so as to develop appropriate strategies to eliminate such discrimination in Nigerian education. Attaining equality between women and men and eliminating all forms of discrimination against women in Nigerian education are fundamental human rights and United Nations values. However, Clark<sup>2</sup> stated that important gaps remain and women's realities are constantly changing, with new manifestations of discrimination against them regularly emerging most especially in Northern part of Nigeria. Some groups of women face additional forms of discrimination based on their age, ethnicity, nationality, religion, health status, marital status, education, physical deformity, and socioeconomic status, among other grounds. These intersecting forms of discrimination must be taken into account when developing measures and responses to combat discrimination against women in tertiary education.

Some men generally believed women are created to add to their fame and riches. That is to say, the number of women and children you have as a man is what adds to the numbers of riches you have as a man. It also enhances man's social status in the community. To this end, women were often limited to being second class citizens. They were often not allowed to hold property or land or they could only do so upon fulfilling certain conditions that men were not subject to, they were not allowed to hold chieftaincy titles or political offices and participate in others aspect of life. This had become an issue over the years which led to the Beijing Summit for women (1995)<sup>3</sup>, It also led to playwrights like Irene Salami, Tracie Utoh, Tess Nwene and the likes of others who took it upon themselves to agitate for women emancipation through playwriting.

### **What is right?**

Rights are legal, social, or ethical principles of freedom or entitlement; that is, rights are the fundamental normative rules about what is allowed of people or owed to people according to some legal system, social convention, or ethical theory. Rights are entitlements to perform certain actions, or not to be in certain states; or entitlements that others perform certain actions or be in certain states. Rights are fundamental to any civilization and the history of social conflicts is often bound up with attempts both to define and to redefine them. According to the Stanford Encyclopedia of Philosophy<sup>4</sup>, "rights structure the form of governments, the content of laws, and the shape of morality as it is currently perceived. Rights dominate modern understandings of what actions are permissible and which institutions are just. To accept a set of rights is to approve a distribution of freedom and authority, and so to endorse a certain view of what may, must, and must not be done.

In 1945, the United Nations Charter<sup>5</sup> recognized the principle that human rights and fundamental

freedoms should be enjoyed by everyone 'without distinction as to sex'. Since then, international human rights' instruments have repeatedly affirmed that women and men must equally enjoy the human rights they enumerate, without discrimination on the ground of sex. The new era of universal human rights promised women, for the first time in international law, the full recognition of their humanity, marking a decisive break with the long standing legal representation of women as lacking full legal and civil capacity.

One way to get an idea of the multiple understandings and senses of the term is to consider different ways it is used. Many diverse things are claimed as rights:

A right to life, a right to choose; a right to vote, to work, to strike; a right to one phone call, to dissolve parliament, to operate a forklift, to asylum, to equal treatment before the law, to feel proud of what one has done; a right to exist, to sentence an offender to death, to launch a nuclear first strike, to carry a concealed weapon, to a distinct genetic identity; a right to believe one's own eyes, to pronounce the couple husband and wife, to be left alone, to go to hell in one's own way<sup>6</sup>.

There are likewise diverse possible ways to categorize rights, such as:

Who is alleged to have the right: Children's rights, animal rights, workers' rights, states' rights, the rights of peoples? What actions or states or objects the asserted right pertains to: Rights of free expression, to pass judgment; rights of privacy, to remain silent; property rights, bodily rights. Why the right holder (allegedly) has the right: Moral rights spring from moral reasons, legal rights derive from the laws of the society, customary rights are aspects of local customs. How the asserted right can be affected by the right holder's actions: The inalienable right to life, the forfeitable right to liberty, and the waivable right that a promise be kept<sup>7</sup>.

Having cited the definition of right by different authours, the writer will now delve into what Women Right and the Law in Nigeria say to fully understand what Nigerian women are really fighting for.

### **Women's Right and the Law in Nigeria**

Law as an instrument of change is definitely an indispensable weapon in the hands of legislators and policy makers in Nigeria. Nigeria's approach towards women's rights has very often been in line with international law. The international community has recognised the equal right to quality education of everyone and committed to achieving gender equality in all fields, including education, through their acceptance of international human rights law. This means that states have legal obligations to remove all discriminatory barriers, whether they exist in law or in everyday life, and to undertake positive measures to bring about equality, including access within, and through education.

Provisions relating to gender equality in education can be found in both general and specific international treaties, as well as treaties concluded in most regions of the world. Here are some of the most significant ones:

1. Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW): CEDAW is often referred to as the international bill of rights for women. It sets out legally binding obligations to eliminate discrimination against women in all areas of life.
2. Beijing Declaration and Platform for Action: Adopted at the Fourth World Conference on Women in Beijing in 1995. This document outlines a comprehensive roadmap for achieving gender equality and women's empowerment.
3. Universal Declaration of Human Rights: Although not specific to women, it asserts the fundamental rights and freedoms that apply to all individuals, regardless of gender.
4. United Nations Security Council Resolution 1325: This resolution addresses the impact of armed conflict on women and recognizes the critical role women play in peace and security efforts.
5. The Convention on the Rights of the Child: While not exclusively focused on women, this convention includes provisions to protect the rights of girls and women, particularly in the context of child marriage, child labour, and access to education.
6. Istanbul Convention (Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence): This treaty focuses on preventing and combating violence against women, including domestic violence, and provides a framework for legal and policy measures to address such violence.
7. Optional Protocol to CEDAW: This protocol allows individuals or groups to file complaints with the CEDAW Committee if they believe their rights under CEDAW have been violated.
8. Convention on the Rights of Persons with Disabilities: While not exclusively focused on women, this convention recognizes the intersectionality of gender and disability rights, emphasizing the need to protect the rights of women and girls with disabilities.
9. International Covenant on Civil and Political Rights and International Covenant on Economic, Social, and Cultural Rights: These covenants include provisions related to non-discrimination and the protection of human rights, which are applicable to women.
10. African Charter on Human and Peoples' Rights: This regional human rights instrument for Africa includes provisions related to women's rights and gender equality.

The Convention on the Elimination of All Forms of Discrimination against Women (1979, CEDAW)<sup>8</sup> focuses exclusively on women's rights. It interprets and applies the right to education in a way that considers the specific needs and circumstances of women and girls. Article 10 of CEDAW is the most comprehensive provision on women and girls' right to

education in international law. It sets forth the normative content in relation to the elimination of discrimination against women and ensuring equal rights with men in the field of education, including:

- the same conditions for access to studies and diplomas at all educational levels, in both urban and rural areas
- the same quality of education
- the elimination of any stereotyped concept of the roles of men and women
- the same opportunities to benefit from scholarships and other study grants
- the same access to programmes of continuing education, including literacy programmes, particularly those aimed at reducing the gender gap in education
- the reduction of female student drop-out rates and programmes for women and girls who have left school prematurely
- the same opportunity to participate in sports and physical education
- access to educational information on health, including advice on family planning<sup>9</sup>

A number of other CEDAW<sup>10</sup> provisions are also relevant to gender equality in education.

Article 1 defines discrimination against women as:

*any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.*

Article<sup>11</sup> 2 sets out the legal and policy measures states should undertake to eliminate discrimination against women and therefore applies to the totality of rights found in CEDAW. This includes legal and policy measures related to the implementation of the right to education on a non-discriminatory basis.

In line with international law and modern practice, the Nigerian government has introduced some reforms to improve in an attempt to create a more equitable society Nigerian woman. Some of these reforms included the signing and ratification of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)<sup>12</sup>, adoption of a National Gender Policy, the enactment of the Child Rights Act 2003 (this law domesticated the Convention of the Rights of the Child in Nigeria), the enactment of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003<sup>13</sup> and establishment of Women Development Centres in all the states in Nigeria amongst. Thus, the recent enactment of the Violence against Persons (Prohibition) Act (VAPPA) also shows a conscious legislative move to advance gender equality. This research aligns with the views of Justice Musdapher<sup>14</sup> which states thus: the challenges of societal growth, demands and dynamisms are tackled through the instrumentality of the law. In fact, law does not only change with societal changes, but actually initiates the changes in society.

Hence, law plays an indispensable role as a veritable tool for social engineering. The constant evolution of the laws to adequately and equitably ensure the protection of the rights of women as well as the increasing frequency with which the Court continues to recognize and protect the rights of women is a testament to that.

### **Women Right and Education in Nigeria**

Today, more women than ever have access to education. However, despite this progress, many women continue to face multiple barriers based on gender and its intersections with other factors, such as age, ethnicity, poverty, and disability, in the equal enjoyment of the right to quality education. This includes barriers, at all levels, to access quality education and within education systems, institutions, and classrooms, such as, amongst others:

- harmful gender stereotypes and wrongful gender stereotyping
- child marriage and early and unintended pregnancy
- gender-based violence against women and girls
- lack of inclusive and quality learning environments and inadequate and unsafe education infrastructure, including sanitation
- poverty

Insecurity and the particular threat that schools face are also factors as schools are often considered as soft targets. The victims of these attacks are often subjected to emotional trauma such as anxiety, shock, anger or depression. All these may either take the child out of school or lead to disruption of the victims academic experiences.

To achieve gender equality and empower women, the Nigerian government has implemented various initiatives aimed at promoting female education. Some of which are:

- I. Universal Basic Education (UBE) Programme: The UBE programme, established in 1999, is a flagship initiative that provides free and compulsory basic education for every Nigerian child aged 6 to 15 years. It plays a crucial role in enhancing female education access and quality, especially in underserved areas. The problems with the programme were how effective was the program? Has Basic Education ever been free in Nigeria? Is the programme still on or we have replaced it with many other programmes due to lack of continuity?
- II. National Policy on Education: The National Policy on Education incorporates gender-sensitive provisions to address gender disparities in access to education. It promotes equal opportunities for both boys and girls and emphasizes the importance of eradicating gender bias in curricula and teaching materials. As good as the policy is on paper, are there adequate provisions for the rightful implementation? The document has been due for another review since 2018 since it was last reviewed in 2013, are there provisions in place for such review.
- III. Girl-Child Education Initiatives: The Federal Government and some states in Nigeria have launched specific girl-child education initiatives to bridge gender disparities. These programs are still on going and it provide financial support, scholarships, and

mentorship opportunities to girls, promoting and encouraging their participation in education.

- IV. National Gender policy. The National Gender Policy is particularly modelled to tackle gender inequality. The 2021 – 2026 built on the shortcomings of its predecessor and adopts the gender mainstreaming strategy to draw attention to how women, men, girls, and boys are influenced and affected by policy decisions and programme executions and the need for a two-pronged approach to redressing gender inequalities. Gender mainstreaming is a globally recognized strategy for successfully advancing gender equality and equity in society.

The Nigerian government's efforts to promote female education are commendable, and progress has been made in advancing gender equality in education. However, there is still work to be done to ensure that all Nigerian girls have equal access to quality education, empowering them to become active participants in the nation's development. The execution of some of those policies have fallen short of expectation. Continuing to address cultural and economic barriers and investing in girls' education will be key in the journey towards gender equality in education in Nigeria.

### **Importance of Promoting Women's Educational Right in Nigerian Education for Growth and National Development**

Promoting women's educational rights in Nigeria is a crucial endeavour that holds immense significance for the nation's growth and development. In a country with a diverse cultural landscape and varying socio-economic conditions, ensuring that women have equal access to education is not just a matter of justice; it is fundamental to unlocking the country's full potential.

Education is a fundamental right for everyone, and what this means is that women should be included in this group. Nigeria cannot afford not to educate all her girl child, as this will result in poor family health and survival in the home front which will translate to poor economic development for the nation. Every woman, whether rich, poor, young, elderly, married, single, widowed or of any other social position, has the right to an education. Education is a fundamental right, not a privilege and this will bring an all round development for the nation. Promoting women's educational rights is an essential component of Nigeria's development agenda. It not only empowers women individually but also benefits the nation as a whole by fostering economic growth, reducing poverty, and advancing gender equality. By ensuring equal access to quality education for women and girls, Nigeria can harness its demographic potentials and drive forward as a more inclusive and prosperous nation.

From the position so far illustrated, it is not in doubt that women's right is important in Nigeria in order to excel. Among such importance are:

**Economic Empowerment:** Education equips women with the knowledge and skills needed to participate in the labour market effectively. As educated women join the workforce, they contribute to economic growth and become less vulnerable to poverty. This not only benefits them individually, but also strengthens the nation's economy.

**Healthier Families:** Educated women tend to have healthier families. They are more knowledgeable about nutrition, healthcare, and family planning, resulting in better child and maternal health. This leads to lower infant mortality rates and healthier children, which, in turn, enhances the well-being of the entire society.

**Reduced Poverty:** Education is a powerful tool for breaking the cycle of poverty. When women have access to education, they can engage in income-generating activities and reduce their vulnerability to economic hardship. As a result, they can contribute to poverty reduction at the household and community levels.

**Enhanced Gender Equality:** Promoting women's educational rights is a critical step towards achieving gender equality. Educated women are more likely to challenge gender stereotypes and advocate for their rights. This empowerment leads to the adoption of more inclusive policies and practices, benefiting the entire society.

**Political Participation:** Educated women are more likely to participate in political processes. Their inclusion in decision-making and governance can lead to more representative and effective policies that address the diverse needs of the population.

**Cultural Transformation:** Education challenges and transforms traditional cultural norms that perpetuate harmful practices, such as early marriage and gender discrimination. Educated women are empowered to make informed choices and question discriminatory practices, contributing to cultural transformation.

**Human Capital Development:** The knowledge and skills acquired through education make women valuable contributors to human capital development. Their active participation in the workforce enhances the nation's overall capacity for innovation, growth, and development. In addition, United National Development Fund for Women (UNIFEM)<sup>21</sup>, maintained that educating women will involve:

- Gaining knowledge and awareness of gender relations, as well as the ways in which they may be changed.
- Gaining a sense of self-worth, faith in one's ability to effect desired changes, and the ability to direct one's own life.
- Having the ability to make decisions that give you negotiating power.
- Improving one's abilities to organize and influence social change to achieve a more just social and economic order on a national and worldwide scale.

In light of this enlightenment in women's educational right, the writers are of the opinion that educating women will make Nigeria to be seen as the world's emerging superpower.

## Conclusion

This topic is a very sensitive one and it reveals that the women's right in Nigeria requires knowledge of law to be able to achieve maximally. This work dealt extensively with the analysis of key positions in the laws about equal right of women's educational opportunity, since it's stated that equality between women and men and eliminating all forms of discrimination against women in Nigerian education are fundamental human rights and United



Nations values. Women around the world nevertheless regularly suffer violations of their human rights throughout their lives, and realizing women's human rights has not always been a priority describing the reasons for being concerned about equality in this arena and then surveyed debates about the value and distribution of such opportunities. *Rights through education* define ways in which schooling shapes rights and gender equality in aspects of life outside the sphere of education. The absence of this right is particularly evident when education, which should be transformational, fails to significantly advance the position of women in the social, cultural, political and economic fields thereby denying their full enjoyment of rights in these arenas.

## Recommendations

From the work done, it is recommend as follows;

1. States have an obligation to take deliberate, concrete, and targeted steps, according to maximum available resources, to move expeditiously and effectively towards the full realisation of the women's right to education;
2. Efforts should be made towards identifying and removing all barriers such as cultural biases, early marriage or economic constraints that could hinder the education of women;
3. Accessibility which requires availability of adequate infrastructure; technological accessibility for those unable to attend school, such as through information and communication technologies in distance and open learning settings; and economic accessibility, which means education should be free from pre-school to the secondary level and progressively free at the tertiary level;
4. The provision of gender sensitive curriculum is also recommended. This curriculum will teach inclusiveness and promote gender equality;
5. Another important recommendation is that Government and Proprietors should provide safe schools, where the girl child or women can learn without fear of kidnapping or harassment. There should be measures against gender based violence;
6. Policymakers should target interventions to areas that will be most impactful (for example. growing recognition of the importance of women education);
7. Advocacy and Awareness: There is still much to be done in terms of promoting advocacy campaigns to emphasize the value of women's education and gender equality through the use of female role models and mentorship programmes to guide the girl child.

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