

VIOLATION OF RIGHT TO THE DIGNITY OF HUMAN PERSON IN ANAMBRA BASIC SCHOOLS: CHALLENGES TO QUALITY UNIVERSAL BASIC EDUCATION.

¹Alike, Grace Uche *Ph.D* & ² Amaechina, Obumneme U
^{1&2} Department of Educational Management and Policy
Federal College of Education (Technical) Umunze.

Abstract

The purpose of the study was to determine the extent of violation of students'/pupils' right to dignity in Anambra State Basic Education level and to ascertain the challenges posed by such violation to Universal Basic Education in the state. The study was guided by five research questions. Simple random sampling technique was used to draw 1,600 primary and 1,600 junior secondary school pupils/students as sample for the study. The instrument used for data collection was questionnaire constructed by the researcher in accordance with the research questions. Three experts from Nnamdi Azikiwe University Awka validated the instrument to ensure that the items are relevant to the purpose of the study. The instrument was also pilot-tested to ensure its reliability. The results showed that the internal consistency reliability of the items was high. The questionnaire was administered with the help of research assistants and the data collected were analysed using mean. The findings from the study showed that principals, head teachers and senior students to a large extent violate students'/pupils' right to dignity because they were not given fair hearing hence many a times they were dehumanized, abused, exploited and humiliated without adequate protection from the school management. Teachers subject students/pupils to various forms of abuse, exploitation and dehumanizing punishments and senior students greatly abuse, violate, dehumanize and humiliate the junior ones. Sometimes the senior students use the junior ones as house helps to fetch water for them, wash their clothes, and serve them food. The government also violates students' right to dignity as some of our government schools are in deplorable conditions among others. The study concluded that violation of students' right to dignity has devastating effect on Universal Basic Education which aims at universal and compulsory access to quality basic education for all children. The study recommended among others that the State Ministry of Education should organize workshops and seminars for principals and head teachers on education law particularly as it concerns discipline of students.

Introduction

Students as humans have some inalienable rights which if violated may result to litigation. There are certain conducts by school staff and school prefects which infringe upon the fundamental human rights of students as human beings with some worth and respect. Fundamental human rights are basic rights and freedom that belong to every person in the world from birth until death. These basic rights are based on shared values such as dignity, fairness, equality, respect and independence (UNICEF, 2011). Human rights are therefore natural rights which every citizen of a country is entitled to enjoy without fear of being prosecuted. They are not given to man by man but are earned by man for being a human being and they are necessary for his happy existence with himself, his fellow human beings and for participation in a complex society. Manzoor (2017) noted that the idea of human right is bound up with the idea of human dignity.

Teachers conduct in dealing with student need to be guided by constitutional rights of citizens because, the constitution is supreme to every other law in Nigeria and its provisions are binding on every citizen. The right to human dignity was provided in the Constitution of the Federal Republic of Nigeria, section 34 which states that every individual is entitled to respect for the dignity of his person (Federal Government of Nigeria, 1999). Accordingly; no person shall be subjected to torture or inhuman or degrading treatment, no person shall be held in slavery or servitude, and no person shall be required to perform forced or compulsory labour. Hence, any form of torture, inhuman or degrading treatment is a kind of trespass to the dignity of the individual. The implication is that teachers should be cautious in dealing with students otherwise they infringe on their fundamental human rights to dignity and this could lead to litigation.

The World Conference on Human Rights held in 1993 in Vienna stated that all human rights are derived from the dignity and worth of human person and that human person is the central subject of human rights and fundamental freedom. Sequel to this, United Nations Universal Declaration on Human Rights was signed in 1948 to provide a common understanding of what every one's rights are and to provide a basis for a world built on freedom, justice and peace. Thus the very essence of the convention is on human dignity and human freedom. United Nations Convention on human rights of the child in United Nations (UN) (2001) also emphasized human dignity in a number of places; Article 16 protects the child against unlawful attacks. Article 29 (1) of the convention also stresses that education should be child centered, child friendly and article 37 (a) emphasizes the right of the child not to be subjugated to cruel, inhuman and degrading treatment or punishment. This provision is designed to protect the physical and mental integrity of the child and thus ensure that school discipline is administered with respect to the dignity of the child.

Despite the world's agreement on the need for the protection of rights of children, it is common knowledge that the right to the dignity of human person is

constantly violated in schools. Most times, the feelings and rights of students are being neglected; students are made to feel worthless and treated more of objects rather than human beings. Sometimes teachers inflict injuries to students in a bid to discipline them. Students are at times deprived of the right to privacy, fair hearing and freedom of expression. This attitude is often reflected in teacher/student relationships and even in senior versus junior student relationship. There are also cases of bullying which can be referred to as “peer child abuse”. Limba and Nation in Anyikwa and Unachkwu (2006) opined that bullying involves repeated and negative act committed by one or more students against another. These acts may be physical in nature example kicking, shoving, hitting and pushing or verbal such as teasing, name calling, taunting, spreading of rumors, gossips and promoting social exclusion. According to United States Department of Education cited in Payton and Dupre (2009), students suffer different types of bullying such as harassment, being made fun of, being made subject of gossip, pushing, shoving, tripping, spitting, threatening to harm, excluding from activities and destroying someone’s properties on purpose. Continuing, they added that about 35% of children are reported to having been bullied during the school year, 2009. In line with the above scenario, United Nations Girls’ Education Initiative Report (2014) noted that approximately 246 million boys and girls around the world experience school related violence every year.

It is disheartening that many people who are active participants in the education system or who have strong interest in what goes on in the education system do not have adequate knowledge of fundamental human rights which also apply to the children under their care. Yoloye cited in Alike and Adoga (2017) lamented that most of those in the business of education know very little about the laws under which they operate hence some of these laws are often violated. Obi (2007) pointed out that any punishment that is wanton or malicious may make a teacher guilty of battery. In the same vein, Ikegbusi and Chigbo-Okeke (2016) observed that majority of teachers have low knowledge of trespass to person aspect of tort hence they still abuse students by using punishments that inflict injuries on them. Ignorance of the education law particularly as it concerns disciplining of students may be costly or even disastrous to the educational system. It is therefore pertinent for educational administrators and teachers to have a sound and functional knowledge of the law that guides their relationship with the students as ignorance of the law is not an excuse.

A child’s ability to survive and develop can be hampered or marred due to violence and exploitation inside school through hazardous and unregulated forms of child labour, child abuse, dehumanization and bullying. Children who are humiliated, dehumanized, rejected and excluded from activities are more likely to suffer from fear, anxiety, low self-esteem and avoid social interaction and thus more likely to withdraw from school (Anyikwa & Unachukwu 2006, Buhs, Ladd & Herald (2006), Soudermann, Jaffe and Schieck 1996). This tallies with Manzoor

(2017) who discovered that violation of students' rights in school hinders the learning capacity of students, reduces the zeal for creativity and devastates the process of personality thereby distorting academic performance and inner potentials of students. Continuing, Manzoor added that violation of students' rights engraves anti-social personality and rivalry thought towards the society. To this end, school personnel need to be conscious of students' rights bearing in mind that their actions or inactions may cause infringement of the rights of the students which they are supposed to protect.

Students as human beings also have right to safe, healthy, protective and stimulating environment. According McGuirk and Mills ((2014) the right to human dignity includes access to food, shelter, education and conducive and safe environment. Child's Right Act cited in Maduewesi (2005), pointed out that children have right to basic facilities such as safe water, clean surroundings and good toilets because if the school environment is not clean, safe and secured, children will be exposed to accident and diseases. Contrary to the above provisions, Alike, Oforjebe and Ezeugbor (2013) found out that the status of sanitation and hygiene was very poor in public primary schools in Anambra State. Most of the schools were overgrown with weeds, mountains of refuse dumps, stagnant water and pot-holes were seen here and there inside the school premises. Many primary schools in the state were without toilets and some that had still operated the pit toilet system. The situation is indeed appalling and worrisome as children are exposed to danger and diseases.

The main purpose of Universal Basic Education is to provide free access to basic education to all Nigerian children of school age and thus reduce the incidence of drop-out from the formal education system. It cannot be disputed that the aim of universal basic education may not be realized if children are exploited, dehumanized and abused during the early years which are very critical for social and emotional development. Hulshof (2009) noted that humiliation and abuse are not only a violation of the child's right to dignity but also counterproductive to literacy as it can lead to absenteeism, physical illness, turnover and reduced morale. United Human Rights Watch (2016) added that school based violence including bullying deeply affects children's ability to learn, undermines their physical and psychological wellbeing and often causes them to drop out of school. Hence every student in school has the right to feel emotionally safe and free from embarrassment and humiliation by teachers and by fellow students because when this safety is violated not only does academic performance suffer but such students might never be free from the hurt for the rest of their lives. This study therefore seeks to determine the extent to which students rights to dignity are being violated at basic education level in Anambra State and challenges which such violation pose to quality universal basic education in the state.

The study was guided by the following research questions:

1. To what extent do principals/head teachers violate students/pupils' right to human dignity?
2. To what extent do teachers violate students/pupils' right to human dignity?
3. To what extent do senior students violate students/pupils' right to human dignity?
4. To what extent does government violate students/pupils' right to human dignity?
5. What are the challenges posed by violation of students' right to dignity on universal basic education?

Methodology

The study adopted a survey research design. The population of the study comprised 18,139 basic 6 and 14,327 upper basic 3 otherwise referred to as JSS3 students in public primary and secondary schools in Anambra State respectively.

A multi stage sampling procedure was used to draw the sample for the study. Firstly, simple random sampling technique was used to select eight out of the twenty-one local government areas in Anambra State. Simple random sampling technique was used to draw five basic schools and five secondary schools from each of the eight sampled local governments and this gave a total of 40 basic schools and 40 secondary schools. Thereafter, a simple random sampling technique was again used to draw 40 basic 6 pupils from each of the five sampled basic schools giving a total of 1600 pupils. Again, simple random sampling technique was also used to draw 40 JSS3 students from each of the 40 sampled secondary schools and this gave a total of 1600 JSS3 students giving a grand total of 3,200 respondents.\

The instruments used to collect data for the study was a questionnaire titled Violation of Students' Right to Human Dignity (VSRHD). The questionnaire contained 44 items organized in clusters according to the research questions. Three experts from Nnamdi Azikiwe University Awka validated the instrument to ensure that the items are relevant to the purpose of the study. The instrument was pilot-tested to ensure its reliability and the data obtained were analyzed using Crombach Alpha. The result gave a grand mean coefficient of 0.84, which shows that the internal consistency reliability of the items was high. The questionnaire was administered with the help of research assistants who were trained on how to assist the pupils in answering the questionnaire. Out of the 3,200 copies of the questionnaire distributed, 3,042 were returned which accounted for about 95% of the total questionnaire distributed. The data collected were analyzed using mean.

Results

Table 1: Mean Responses Of JSS 3 And Basic 6 Students On The Extent To Which Students' Right To Is Violated By Principals /Head Teachers.

S/N	ITEMS:	JSS3 Students	Basic 6 Pupils	Decision	Decision
	Principals/Head teachers				GE
1	Do not allow students/ pupils to express themselves when maltreated by teachers.	3.22	GE	3.01	
2	Do not allow students/ pupils to express themselves when maltreated/bullied by prefects /senior students /pupils without coercion or fear.	2.86	GE	2.92	GE
3	Do not create avenues /mechanisms where students/pupils can complain of issues of abuse/victimization in confidence.	3.19	GE	3.27	GE
4	Do not allow students /pupils to participate in making decisions that affect them.				
5	Make derogatory remarks about students/pupils and their parents for non-payment of levies;	3.07	GE	3.48	GE
		2.86	GE	2.92	GE
6	Embarrass students /pupils who wear bushy hair through reckless hair cut;	2.64	GE	2.87	GE
7	Disgrace students/pupils who wear wrong school uniforms by removing their dresses in the public;	2.59	GE	2.31	GE
8	Disgrace students/pupils who wear wrong sandals by removing their sandals leaving them to walk barefooted;	2.92	GE	2.84	GE
9	Belittle students by punishing them without giving them opportunity to defend themselves;	2.96	GE	3.11	GE
10	Disgrace students who wear worn out uniforms publicly during morning assembly;	2.69	GE	2.73	GE
11	Call students derogatory names when they misbehave.	2.94	GE	3.23	GE
12	Belittle students/pupils by reading their private letters.	2.33	LE	1.08	LE

S/N	ITEMS:	JSS3 Students	Basic 6 Pupils	Decision	Decision
13	Treat students like objects by giving them humiliating punishments such as: lying down under the sun, make them jump like frog, stand with one leg up, one down and two hands up;	2.31	LE	2.07	LE
Grand Mean		2.78	GE	2.73	GE

Results of the data on Table 1 showed that eleven items; serial numbers 1-11 have mean scores above the accepted cut off score of 2.50 while two items; serial numbers 12-13 have mean scores below the accepted cut off score. Also the grand mean score of 2.78 and 2.73 for JSS3 and Basic 6 respectively showed the respondents' agreement that both principals and head teachers violate to a great extent students/pupils right to human dignity.

Table 2: Means Responses Of Students/Pupils On The Extent To Which Teachers Violate Pupils/Students' Right To Dignity.

S/N	ITEMS Teachers	JSS3 students	Decision Basic 6	DECISION	
14	Give students/pupils forced labour such as digging pit, washing toilets and carrying sand without considering their age	2.65	GE	2.22	LE
15	Make derogatory statements such as block head or empty vessel about students who perform poorly in tests and examinations	2.77	GE	2.98	GE
16	Punish students/pupils unduly for inability to buy textbooks.				
17	Give dehumanizing punishment to students such as; Lying students down under the sun with eyes up; jump like frog, standing with one leg up, one down.	2.81 2.63	GE GE	2.57 2.21	GE LE
18	Give excessive punishment to students due to non-payment of school levies				
19	Make derogatory remarks about students for not buying textbooks	2.66 2.73	GE GE	2.76 2.65	GE GE
20	Deprive students/pupils from writing tests/assignments due to non-payment of levies	2.75	GE	2.74	GE
21	Flog students for failing tests or assignments	2.65	GE	2.62	GE
22	Give corporal punishment such as Flogging to students/pupils	2.95	GE	2.68	GE
Grand Mean		2.73	GE	2.60	GE

Analysis of the data on Table 2 above revealed that all the 9 items except items and 17 for basic 6 have mean response scores above the accepted cut off of 2.50. Also grand mean response scores of 2.71 and 2.60 for JSS3 students and Basic 6 pupils respectively indicate the respondent accept that both primary and secondary school teachers violate children’s right to human dignity.

Table 3: Mean Responses of Students/Pupils on the Extent to which Senior Students/Pupils Violate Students/Pupils’ Right to Human Dignity

S/N	ITEMS	JSS3 students	Decision	Basic 6	Decision
23	Give junior students/pupils humiliating punishments such as: lying down under the sun, make them jump like frog, standing with one leg up, one down and two hands up;	2.72	GE	1.87	LE
24	Giving fellow students/pupils forced labour such as: digging pit, washing toilet and carrying sand	2.78	GE	0.11	LE
25	Exploit junior students and forcefully take what belongs to them	2.86	GE	1.32	LE
26	Exploit junior students by using them to wash their clothes, fetch water for them, serve them food , wash their plates after eating and lay their beds.	2.64	GE	0.05	LE
27	Dehumanizing and subjecting junior students/pupils to mental distress by calling them derogatory names, making them object of fun, threatening to harm them, destroying their properties, pushing and shoving them.	2.84	GE	2.61	GE
Grand Mean		2.77		1.19	

Results of the data on Table 3 showed that all the items for both JSS 3students have mean response scores above the accepted cut off score 2.50 while all the items for basic 6 pupils except item 27 have mean response scores below 2.50. Also, grand mean response scores of 2.77 and 1.19 in secondary and primary schools respectively showed that students/pupils’ violation of fellow students/pupils’ right to human dignity is very much higher in secondary schools.

Table 4: Mean Responses of JSS3 And Basic 6 Students/Pupils On The Extent To Which The Government Violates Students/Pupils’ Right to Dignity

S/N	ITEMS	JSS3	Decision	Basic 6	Decision
28	Non provision of adequate classrooms for students/pupils;	2.38	LE	2.01	LE
29	Non provision of adequate source of clean water	2.62	GE	2.85	GE
30	Non provision of safe and secured environment	2.21	GE	2.76	GE
31	Non provision of adequate learning materials	2.74	GE	2.83	GE
32	Non provision of adequate health facilities in the school	2.67	GE	3.31	GE
33	Non provision of good toilet facilities	2.61	GE	2.83	GE
34	Non provision of lunch for students/pupils	3.33	GE	2.98	GE
35	Non provision of constant electricity	3.23	GE	3.51	GE
	Grand Mean	2.72	GE	2.89	GE

The data on Table 4 showed that all the items were accepted except items 28 for both JSS3 and Basic 6 while item 30 was rejected by JSS 3 only. This shows that Government violates students’ right to dignity in both primary and secondary schools.

Table 5: Mean responses of students/pupils on challenges posed by violation of students/pupils’ Right to human dignity.

S/N	ITEMS	JSS3	BA SIC 6	DECISION
36	Absence from school and from classes		3.23	
37	Accepted	2.65		Accepted
38	Loitering while the lesson is going on		3.09	
39	Accepted	3.43		Accepted
40	Mental distress		2.96	
41	Accepted	3.28		Accepted
42	Low self-esteem		2.78	
43	Accepted	2.71		Accepted
44	Low morale		3.04	
45	Accepted	3.33		Accepted
	Poor student achievement		2.88	
	Accepted	3.18		Accepted
	Physical harm		2.76	
	Accepted	2.89		Accepted
	Anti-social behavior		2.65	
	Accepted	2.59		Accepted
	Fear and tension		2.93	
	Accepted	3.37		Accepted
	Drop-out from school		2.56	
	Accepted	2.72		Accepted

Results on Table 5 above show that the respondents agree that all the ten items listed are challenges posed to Universal Basic Education by violation of students/pupils right to human dignity.

Discussion

The results from the data analysis indicated that both principals and head teachers violate students'/pupils right to dignity. This is evident in their relationship with the students/pupils. The study showed that students/pupils were not given fair hearing when maltreated by teachers and no avenues were provided for them to lay their complaints in confidence. Hence, many a times students were being dehumanized, abused, exploited and humiliated without adequate protection from the school management. This is against the child's fundamental right to human dignity which states that no child should be subjected to inhuman or degrading treatment. Diwunma and Anyikwa (2008) opined that a child's ability to survive and develop can be hampered or marred due to violence and exploitation inside and outside the school through hazardous and unregulated forms of child labour and exploitation. Adebeyeje cited by Nwapa (2015) opined that many of those operating in the educational system are not aware of the laid down rules and regulations governing the system. Along the same view, Yoloye in Alike and Adoga (2017) lamented that most of those in the business of education know very little about the laws under which they operate hence some of these laws are often violated.

The findings from the study also revealed that teachers subject students/pupils to various forms of abuse, exploitation and dehumanizing punishments. This finding is in accord with the Nwapa (2015) who discovered that many teachers in secondary schools in Ebonyi State were ignorant of the law; hence they were using illegal punishments because they were not aware of the legal implications of their actions. Ikegbusi and Chigbo-Okeke (2016) stated that teachers have been found guilty of assault and battery cases in a bid to discipline students. Cheng (2011) pointed out that education law does not protect any teacher who fails to apply appropriate disciplinary measures while disciplining students. The implication is that teachers should have knowledge of the law guiding students' rights as ignorance of the law will not protect them from being prosecuted if found guilty.

The study also revealed that senior students greatly abuse, violate, dehumanize and humiliate the junior ones without adequate control from the school management. Sometimes the senior students use the junior ones as house helps to fetch water for them, wash their clothes, and serve them food. The senior students also call the junior ones different types of derogatory names, bully them and give them different forms of dehumanizing punishments. Sometimes they forcefully take what belong to them. This corroborates the report of United States Department of Education cited in Payton and Dupre (2009) that about 35% of children are being bullied each school year. United Nations Girls' Education Initiative Report (2014)

reported that approximately 246 million boys and girls around the world experience school related violence every year.

It was also found out that many schools are without good toilets, clean water supply, safe and secured environment, adequate learning and health facilities. McGurk and Mills ((2014) pointed out that the right to human dignity also includes access to food, shelter, education and conducive and safe environment. To this end, the government also violates students' right to dignity as some of our government schools are in deplorable conditions.

It is not possible for students/pupils to achieve maximally if they are constantly exploited and dehumanized. Hence, violation of students' right to dignity has devastating effect on Universal Basic Education which aims at universal and compulsory access to quality basic education for all children irrespective of family background, ethnic group, gender and physical dispositions.

The study revealed that violation of students' right to dignity of human person may lead to absenteeism, loitering while lesson is going on; mental distress; low self-esteem; low morale; poor student achievement; physical harm; and anti-social behavior. This agrees with the findings of Anyikwa and Unachukwu (2006) who observed that different forms of students/pupils' abuse create a sense of fear and insecurity in the victims and could result to absenteeism, poor academic achievement and drop-out from school. Anyikwa (2006) also pointed out that academic success can only be achieved in a safe environment that promotes self-esteem and self efficacy of all students. The finding also supports United Human Rights Watch (2016) which noted that school based violence and exploitation deeply affects children's ability to learn, undermines their physical and psychological wellbeing and often causes them to drop out of school.

Conclusion

Principals, teachers, senior students/pupils and the government violate students/pupils right to human dignity. This is a serious challenge to UBE as violation of students/pupils' right to dignity could lead to social, physical and mental distress which may in turn lead to absenteeism, poor academic achievement or even total drop-out from school thereby hindering the child from access to basic education.

Recommendation

Based on the findings from the study, the following recommendations were made:

1. The state Ministry of Education should organize workshops and seminars for principals/head teachers and teachers on education law particularly as it concerns discipline of students. This will enable them become more aware of students' rights and the consequences of violation of those rights.
2. Principal/head teachers should organize seminars/workshops for students/pupils on law guiding school discipline and bullying. They should also

- put in place rules and regulations against bullying and corporal punishment as well as punishment to be meted to anyone found guilty of such act.
3. School principals and head teachers should provide mechanisms for students to lay complaints concerning students/pupils exploitation, victimization, dehumanization and bullying by teachers and senior students/pupils.
 4. The Government should make Education law with particular emphasis on common torts should be made a compulsory course in all teacher training institutions in the country.
 5. The Ministry of Education should develop students/pupils manual with emphasis on school bullying policy and each student will be issued a copy of the hand book on admission.
 6. Government should improve school environment by providing adequate infrastructure and social amenities so as to make the school more child-friendly and conducive for learning.

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