

TRANSFORMING THE RIGHT TO EDUCATION IN NIGERIA: THE SIGNIFICANCE OF SOUTH AFRICA'S CONSTITUTIONAL FRAMEWORK

*Olusola Babatunde Adegbite**

ABSTRACT

Among development indices, education is one of the leading tools of the 21st century, responsible, in part, for some of the major advancements in the developed world. The importance of education is recognised as a fundamental right internationally. Governments across the globe should progressively work towards realising it through laws, policies, and judicial protection. This needle does not appear to have been moved significantly in parts of Africa, with Nigeria being a typical example.

This is, however, different in South Africa, where the right to education is not only constitutionalised but has been a subject of adjudication in the courts. Aside from South Africa, most other African countries, including Nigeria, still pay lip service to constitutionalising the right to education. The result is a largely illiterate population, years of unrealised potential, and no social development. Against this backdrop, this article examines the right to education as a socio-economic right within Nigeria's constitutional framework. It canvasses that Nigeria can toe the footprints under South Africa's constitutional rights jurisprudence to close its education rights deficit. Given Nigeria's position on the continent, making education, a constitutional right can be a basis for using the law to craft a better Africa.

* LL. B (Hons) (*Ife, Nigeria*), BL (*Lagos, Nigeria*), LL.M (*Ife, Nigeria*), LL.M (*Cardozo School of Law, Yeshiva University, United States*), PhD. Candidate & Visiting Lecturer, Hertfordshire Law School, University of Hertfordshire, Hatfield, United Kingdom.