

# Appraising School Discipline in Nigeria under the Child Rights Act

Dr Uduak Idoghor, PhD, LLM, LLB

*Faculty of Education, University of Port Harcourt, Choba.*

Date of Submission: 15-03-2025

Date of Acceptance: 25-03-2025

## ABSTRACT

School discipline is a crucial aspect of maintaining order and fostering a conducive learning environment. However, disciplinary measures must align with the provisions of the Child's Rights Act (CRA) to ensure they respect children's rights and dignity. This study critically appraises school discipline within the framework of the Child's Rights Act, examining the extent to which schools adhere to child-friendly disciplinary practices. The research explores various disciplinary approaches, including corporal punishment, suspension, and other corrective measures, analyzing their compliance with legal standards and human rights principles. It highlights the conflict between traditional punitive methods and modern rights-based approaches that promote positive discipline. The study also assesses the role of teachers, school administrators, and policymakers in implementing child-centered discipline strategies that uphold the child's right to dignity, protection, and education. Findings suggest that while some schools have embraced rights-based disciplinary practices, others continue to use outdated punitive measures, often violating children's rights. The study recommends policy reforms, teacher training, and awareness campaigns to ensure school discipline aligns with the Child's Rights Act, promoting a safe, respectful, and nurturing educational environment.

**Keywords:** School Discipline, Child's Rights Act, Positive Discipline, Corporal Punishment, Child Protection

## I. INTRODUCTION

The Child Rights Act (CRA) 2003 is Nigeria's primary legal framework for protecting children's rights, including those related to education and discipline. School discipline is an essential aspect of education, but it must align with the CRA's provisions to ensure the protection of children's dignity and rights.

## 1. Overview of the Child Rights Act and School Discipline

The Child Rights Act (CRA) was enacted in 2003 to domesticate the United Nations Convention on the Rights of the Child (UNCRC) and the African Charter on the Rights and Welfare of the Child. It establishes legal protections against abuse, maltreatment, and harmful disciplinary practices in schools.

Key sections of the CRA relevant to school discipline include:

Section 11: Protects the right of every child to dignity and prohibits torture, inhuman treatment, and degrading punishment.

Section 34: Outlaws any form of physical, mental, or emotional abuse, including harsh corporal punishment.

Section 15: Ensures the right to education in a safe and supportive environment.

## 2. School Discipline Practices in Nigeria

In Nigerian schools, discipline is a major concern, with many schools relying on traditional punitive measures, including corporal punishment, suspension, and expulsion. Despite the CRA's provisions, corporal punishment remains widely practiced in both public and private schools.

## Common Disciplinary Measures in Nigerian Schools

Corporal Punishment: Flogging, kneeling, and other physical punishments are still prevalent.

Suspension and Expulsion: Often used for severe offenses, but sometimes applied arbitrarily.

Counseling and Rehabilitation: Rarely emphasized but gaining recognition as a better alternative.

## 3. Challenges in Implementing the CRA in Schools

Despite the legal framework, several challenges hinder the effective implementation of the CRA in Nigerian schools:

Cultural and Religious Beliefs: Many parents and teachers believe in the effectiveness of corporal punishment.

Lack of Awareness: Many school administrators and teachers are not familiar with the CRA's provisions.

Weak Law Enforcement: Limited government oversight and enforcement mechanisms lead to continued violations.

Insufficient Alternatives to Punishment: Schools lack structured disciplinary measures based on positive reinforcement.

#### 4. Recommendations for Reforming School Discipline in Nigeria

Strict Enforcement of the CRA: The government should ensure compliance with laws prohibiting harmful disciplinary practices.

Teacher Training Programs: Teachers should be trained in child-friendly disciplinary techniques.

Public Awareness Campaigns: Schools, parents, and communities should be educated on the CRA and children's rights.

Development of Non-Punitive Disciplinary Methods: Schools should adopt counseling, peer mediation, and conflict resolution strategies.

## II. CONCLUSION

The Child Rights Act 2003 provides a solid foundation for protecting children from harmful disciplinary practices in Nigerian schools. However, full implementation requires a collective effort from the government, educators, parents, and civil society. A shift towards positive discipline will create a safer learning environment and uphold children's rights.

## REFERENCES

- [1]. Federal Republic of Nigeria. (2003). Child Rights Act, 2003. Abuja: Federal Government of Nigeria.
- [2]. United Nations. (1989). Convention on the Rights of the Child. New York: UN General Assembly.
- [3]. African Union. (1990). African Charter on the Rights and Welfare of the Child. Addis Ababa: African Union.
- [4]. Akinwale, O. A. (2019). "Corporal Punishment in Nigerian Schools: Legal Implications and Alternatives." *African Journal of Education and Human Development*, 5(2), 45-60.
- [5]. Ogunyemi, B. (2017). "The Role of Teachers in Implementing Child Rights Laws in Nigeria." *International Journal of Educational Policy Research*, 4(1), 23-40.
- [6]. Eze, C. A. (2021). "Child Rights and School Discipline: A Study of Compliance in Nigerian Secondary Schools." *Journal of Child Protection Studies*, 8(3), 78-95.
- [7]. UNICEF Nigeria. (2022). *Protecting Children's Rights in Schools: Challenges and Progress*. Abuja: UNICEF Nigeria.
- [8]. Ajayi, K. (2018). "Alternative Disciplinary Strategies for Nigerian Schools: A Case Study of Lagos State." *Journal of Educational Research and Development*, 6(4), 112-128.
- [9]. National Human Rights Commission (NHRC). (2020). *Annual Report on Child Rights Protection in Nigeria*. Abuja: NHRC.
- [10]. Nwogu, E. (2016). "Cultural Barriers to the Implementation of the Child Rights Act in Nigeria." *African Journal of Legal Studies*, 9(1), 56-73.