Learning, Learner Rights in Nigeria, and the Katsina Edict on Almajiri Education

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Scholars are increasingly concerned about the global learning crisis, which is often measured by the number of In-School Children (ISC) as against the Out-of-School Children (OOSC). However, both contribute to the crisis. Consequently, school-aged children in the Almajiri system are characterized as OOSC. Interestingly, Nigeria has the largest number of such children in Africa. Following the clamor for reforms in the Almajiri system, the Government of Katsina State of Nigeria issued in 2019 an instrument called

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the "Responsible Parenting Almajiri Rights Edict." This paper attempts to evaluate the learning and learner rights components of the instrument. The study combines the historical method, observation, and document analysis, with the constructivist paradigm as philosophical basis. Findings reveal that the edict fails to contextualize into the Katsina setting some of the most salient components of the Nigeria Child's Rights Act and of the United Nations Convention on the Rights of the Child.

Keywords: learning crisis, learner rights, the Katsina edict on the Almajiri system, out-of-school children in Nigeria.

INTRODUCTION

There is an increasing corpus of literature on the origin and nature of the Almajiri system of education (Hoechner, 2012; Aghedo & Eke, 2013; Okonkwo & Alhaji, 2014; Okonkwo, 2017; Babajo, 2018; Olaniran, 2018; Aliyu & Umar, 2019; Safiyanu & Bugaje, 2020; Yusha'u et al., 2021; Fahm et al., 2021). *Almajirai* is a Hausa word of Arabic origin, meaning "itinerants," "wanderers," or "travelers." Its singular form is Almajiri (Safiyanu & Bugaje, 2020). It is the name by which students are known in the Almajiri system (Yusha'u et al., 2021). The Almajirai are not only characteristically known to be itinerant, wandering, and Qur'anic-learning, but also destitutes, without parental care, and committed to the care of Qur'an teachers. Yet, it is noteworthy that there are commonalities in the various historical accounts provided in the Almajiri scholarship, with the notable exception of Edinyang et al. (2020, p. 105), that offer a remarkable characterization of the system and identify two versions of historical development thereof in Nigeria, namely the Bebeji version and the Madina version.

The Bebeji version is associated with Alhassan, whose birth is said to have been in 1877 to the family of Abdullah and his wife, called Amarya in Bebeji, Kano. Following the death of his father, Alhassan was left in the custody of a slave girl, Tata from Accra, who later sent him to Almajiri school in Bebeji, Kano. At age 17, Alhassan reunited with his mother, who had left for Accra during his childhood (Edinyang et al., 2020). Consequently, Alhassan returned to Bebeji and learned thrift and handwork from his Mallam. According to Edinyang et al. (2020), the knowledge acquired by him

> "helped him to work through trade routes that opened several business opportunities during the British imperialism and by 1906, he was already demonstrating his power and bravery . . . which made him the wealthiest man in West Africa before his death;

> he was Alhassan Dantata, once an Almajiri student, the great grandfather of Aliko Dangote" (Edinyang et al., 2020, p. 106).

He was arguably the wealthiest man in Africa.

The above narrative seems underrepresented in the scholarship of Almajiri education and therefore deserves a critical examination. It is noteworthy that the authors themselves posit that the Madina version is that which traces the Almajiri experience to the migration of the prophet, Muhammad from Makkah to Madina. This opinion finds support in Okonkwo and Alhaji (2014), who see the word "Almajiri" as having derived from the Arabic word *almuhajirun*, which means "an immigrant" and is applied to someone who migrates from one setting to another in the pursuit of a change.

ORIGIN AND THE NATURE OF THE ALMAJIRI SYSTEM OF EDUCATION

Originally known as the Tsangaya system, the Almajiri system of education was introduced under the Kanem-Borno Empire for the purpose of learning Islamic principles, values, jurisprudence, theology, and others. Aghedo and Eke (2013) note that people living in a particular location normally gather their school-aged children after harvest every year in order to hand the children over to a *Mallam* (a Qur'anic teacher) for the purpose of learning the basics of Islam and Arabic literacy and numeracy. The Qur'anic teacher responsible for these children may take them to a camp where they are nurtured into self-reliance, resilience, and discipline (Aghedo & Eke, 2013, p. 103). This is normally done to keep them from possible distractions.

However, it is argued that "the Almajiri system of education practiced today in the northern Nigeria is an adulterated system compared to the conditions under which the system was operating and its output during the pre-colonial period" (AbdulQadir, 2003, p. 3). The system "started in the 11th century as a result of the involvement of Borno rulers in Qur'anic literacy, and seven hundred years later, the Sokoto Caliphate was founded principally through an Islamic revolution . . . and the two empires ran similar Qur'anic learning system which over time came to be known as the Almajiri system" (AbdulQadir, 2003, p. 3). Pupils lived with their parents as the schools were located within the pupils' neighborhood. Following the Sokoto revolution of 1804, an Inspectorate of Qur'anic literacy was established with an oversight role for the Emir of each province. The inspectors reported to the Emir for daily administration of the school. The school maintenance was taken care of by the state, communities, and parents, through proceeds of Zakah and supplemented by teachers

and students through proceeds of farming. The system provided northern Nigeria with effective education that produced excellent manpower for various sectors and walks of life.

Yet, Amuda (2021) remarks that this system of education which is so widely accepted in the North is bereft of sufficient evidence of development. That probably explains why the government thought it appropriate to establish Almajiri-integrated model schools for the purpose of taking the Almajirai off the streets in order for them to acquire a combination of Qur'anic and Western education (Okonkwo & Alhaji, 2014). This led to the approval of the construction of a total of 102 Almajiri schools for the year 2012.[1] Scholars like AbdulQadir (2003) and others (Aghedo & Eke, 2013; Okonkwo & Alhaji, 2014; Fahm et al., 2021) are commended for contributing useful additions to the scholarship of the Almajiri system. However, they are criticized for neglecting to periodize the system, and highlighting the demarcation between what was known as the Tsangaya system and the Almajiri system (Olaniran, 2018; Aliyu & Umar, 2019; Safiyanu & Bugaje, 2020; Yusha'u et al., 2021).

For instance, it is less than accurate to say, as noted by AbdulQadir (2003), that the Almajiri system was initiated in the 11th century because of the Borno rulers interest in Quranic literacy and centuries later the Sokoto Caliphate continuing that through a revolution. In fact, the scholarship on the Almajiri system is characterized by an avoidable pattern or undesirable stereotypes. Some of these avoidable stereotypes include excessive focus on historical origins of the Almajiri system and the dominant nature of the Almajiri education in its areas of coverage, without necessarily engaging critically and creatively with its implication for development or possible considerations for reforms. Although there are a few exceptions (Babajo, 2018; Aliyu & Umaru, 2019; Safiyanu & Bugaje, 2020), one is almost to declare the Almajiri scholarship as being essentially a historical research on account of the dominant nature of the historical pattern and descriptive education narrative.

Except for Baba (2006; 2007; 2008), whose contributions to the subject in the Nigerian context is only second, albeit arguably, to Hoechner (2010; 2011; 2012) in terms of coverage, there is much to be desired in the corpus of Almajiri education. Yet, both Baba (2006; 2007; 2008) and Hoechner (2010; 2011; 2012), too, often fail to engage creatively with the subject of Almajiri education through evidence-based propositions for reform. It is believed that propositions of that nature have the potential to inform or stimulate technical formulations by core experts in the area of learning

involved. In fact such a failure constitutes a major lacuna in the face of critical engagement with their scholarship on the subject, especially in view of their focus on both the historical origin and nature of education in the system. It should be noted that these scholars deserve plaudits in that regard.

However, despite his highly impressive and chronologically interlinked submissions, Baba (2010; 2012), for instance consistently avoids the use of the term *Almajiri* or *Tsangaya* almost throughout his significant contributions on the subject, thereby playing it safe by favoring the terms "Islamic schools" and "Qur'anic schools," which he employs appropriately and most excellently. However, Hoechner (2010; 2011; 2012), though another scholar with significant contribution to the subject, does not survive the pitfalls that Baba systematically dodges and consistently escapes, as she often erroneously lumps the precolonial and colonial Tsangaya system and the postcolonial Almajiri education in the same descriptive basket.

There is a growing concern over the increasing level of the global learning crisis. The level of the learning crisis is often erroneously measured by the number of In-School Children (ISC) who are not learning (World Bank, 2019). These are children whose level of achievement is abysmally low and therefore cannot be regarded as matching what is characterized as learning for their level of education (World Bank, 2019; UNICEF, 2021; World Bank, 2021). However, the Out-of-School Children (OOSC), of whom the Almajiri children constitute a significant part, are hardly counted as the core of the learning crisis. The association between the Almajiri pupils and the OOSC in the Nigerian context has been a source of concern to scholars. It is remarkable that school-aged children in the Almajiri system are officially characterized as OOSC . It is equally remarkable that Nigeria is characterized as accounting for the highest number of OOSC children in Africa, estimated at almost 14 million, seven million of them being in the Almajiri system. This significant number accounts for the importance attached to continuous engagement with the subject among scholars. Directed at improving the Almajiri system, the initiative of government of Katsina State of Nigeria is a designed instrument called the Responsible Parenting and Almajiri Rights Protection Edict (Katsina State Government, 2019).

This paper seeks to achieve four distinct objectives, namely, (a) to examine the nature of the Almajiri system in Nigeria with special attention to Katsina; (b) to aassess the level of learner rights protection in the context of the Almajiri system with particular reference to the Katsina Edict; (c) to investigate the association between the Almajiri system and

learner crisis in Nigeria; and (d) to formulate educational enrichment interventions with the potential to make the Almajiri system consistent with the Sustainable Development Goal 4 (SDG 4), which situates education in the context of the 2030 Agenda and aims to "ensure inclusive and equitable quality education and promote lifelong learning opportunities for all" (UNESCO Global Education Cooperation Mechanism, June, 2021). In order to achieve these four objectives of the study, four corresponding research questions were formulated to guide the research:

1. What is the nature of the Almajiri system in Nigeria?
2. What is the level of learner rights protection concerning the Almajiri system, in connection with the Katsina Edict?
3. What is the association between the Almajiri system and learning crisis in Nigeria?
4. What is the potential of the educational enrichment interventions to make the Almajiri system consistent with the indicators and targets of the SDG 4?

This study is underpinned by the Child Standpoint Theory, which identifies a power differential between a group in power and an oppressed group (Harding, 1992). The Child Standpoint Theory is relevant to the Katsina Edict because it provides a framework to explore how presumably oppressed groups experience their position and helps identify a way to challenge the group in power. The researcher finds that the Child Standpoint Theory is central to the corpus of Children's Rights Protection (Medina-Minton, 2019).

METHOD

Study Design

This study employed a combination of the historical method, observation method, and document analysis with each of the three playing a significant role in the research, which has the constructivist paradigm as its philosophical direction. The researcher seeks to ensure a strong research design through his choice of the constructivist philosophical paradigm in view of its congruence with his beliefs about the nature of reality (Levers, 2013). The researcher's line of thinking in this regard is consistent with Fossey et al. (2002) in the characterization of a paradigm as "a system of ideas, or worldview, used by a community of researchers to generate knowledge . . . or a set of assumptions , research strategies and criteria for rigour that are shared, even taken for granted by that community" (p. 718). In the context of the present study, the paradigm is of constructivist philosophical orientation. According to Adom et al. (2016), "the constructivism

philosophical paradigm is an approach that asserts that people construct their own understanding and knowledge of the world through experiencing things and reflecting on those experiences" (p. 2). The implication of this characterization for this research is that this constructivist philosophical paradigm is the guide or determinant of the methodological direction of the research with regard to engagement with data.

It is noteworthy that the historical orientation of the study stems from its examination of the historical development of the Almajiri system of education. There also is a critical analysis of the contents or components of the Katsina Edicts on Almajiri Child Rights. Given the nature of the data derivable from both the historical method and critical engagement with the Edict in question, as non-numeric pieces of information obtained through literature, documents, and observation, it should be pointed out that the analysis of the constructs are both content analysis and document analysis. Such a critical analysis as guided by the abovementioned research methods is faithful to the constructivist philosophical orientation of the study. This orientation is more noticeable in the author's analysis of historical data, evaluation of the Edict alongside some of the provisions of the Nigeria Child Right Act and the UNCRON, as well as in his textual analysis and engagement with the implications of specific principles or provisions.

The choice of the philosophical paradigm for this research is intended to strengthen the study especially in the area of clarifying terms, concepts, and ideas, as well as exposing and evaluating underlying assumptions and connecting one part to another to offer a meaningful picture of the subject involved (Jorgensen, 2006). For instance, it is the philosophical dimension of the study that is in action where this researcher clarifies the philological implications of the concept of Almajiri and examines its etymological foundations.

As regards the observation method, which originally belongs to the family of ethnographic research methodology, facilitates a researcher's study of people in their natural habitat with a view to understanding issues from their perspective. According to Baker (2006), observation requires the researcher to spend considerable time in the field with the possibility of adopting various roles in order to gain a more comprehensive understanding of the people being studied. Through observation, the researcher who is based in Sokoto studied the Almajirai in their native setting or natural environment for almost 10 years. Sokoto State arguably accounts for the largest number of the Almajirai in Nigeria (Muhammed, 2010; Ja'far, 2008; Khalid, 2002). Sharing an environment with the Almajirai earns

this researcher an unrestricted access to what Adler and Adler (1994, p. 377) describe as a bedrock source of human knowledge about the social and natural world, aptly characterized by Atkinson and Hammersley (1994) as collecting data firsthand (p. 249).

Concerning the role of document analysis in this study, it should be noted that document analysis is regarded as an important component of triangulation, which concerns the combination of research methods in investigating the same subject (Bowen, 2009). Abdalslam (2014) has articulated the significance of the method for both data collection and analysis in modern research. It is derivable from AbdaIslam (2014) that document analysis is an essential research method for both data collection and analysis where policies are involved, as is the case with the Katsina Edict on Almajiri children's rights.

Sampling and Data Collection

Given that the population for this study comprised all the Almajirai, including their parents and teachers, the researcher has conducted long-term, consistent, and repeated observations on the three categories in Sokoto State of Nigeria where he works as a university lecturer. He thought it appropriate to treat Sokoto State as a stratum carved out of the Almajiri universe owing to the commonality of the Almajiri experience in the country. The Almajirai are characteristically known to be itinerant, wandering, Qur'anic learning destitutes without parental care but who are committed to the care of Qur'an teachers. These are commonalities shared by the Almajirai across the country, which is why data collected from such observations as conducted in one state is generalizable to other Almajirai in other parts of the country. Besides Borno, Yobe, and Adamawa States, where Boko Haram insecurities have occasioned school closures, Sokoto State where the observation was conducted is a mainstream Almajiri State that accounts for the highest number of Almajiri in the country (Global Citizen, 2018).

Besides, the geographical boundaries between Sokoto and Katsina States, both located in the Northwestern geopolitical zone of Nigeria, are no more than artificial demarcations. This is in view of the fact that what is known today as Katsina and Sokoto States were parts of what is known as the old Northern State of Nigeria. Also, the present Katsina State includes the border between the old Sokoto State, which comprised Sokoto, Kebbi, and Zamfara States, and other States of the Federation. That Zamfara State, which was a part of the old Sokoto State, shares border with Katsina

State speaks volumes about the cultural, religious, and other experiential commonalities between Sokoto and Katsina States. According to REACH (2022), of the seven states constituting the Northwestern geopolitical zone of Nigeria, namely Jigawa, Kaduna, Kano, Katsina, Kebbi, Sokoto, and Zamfara, the most cultural commonalities are found among three of them, Katsina, Sokoto, and Zamfara. Accordingly, it is often argued that each of the three states is largely a cultural, religious, and educational representation of the other two, except where specific details prove otherwise.

Employing a nonprobability sampling method, the study uses purposeful sampling to identify and select information-rich cases for most effective use of limited resources, as is the case in identifying and selecting individuals who are especially knowledgeable about or experienced with the subject involved, and who are also available, willing to participate, and have the potential to engage expressively and reflectively with the subject of the research (Patton, 2002). Of all the Almajirai students, teachers, and parents studied by the researcher, 50 were selected as participants in order to achieve a systematic data collection. They were selected on the ratio of 30 students, 10 teachers, and 10 parents. A sample of 50 is, by all standards, adequate for a qualitative study in the universe of Almajirai students, teachers, and parents (Vasilleiou et al., 2018). This is in view of the fact that the number of participants is contingent upon the nature of the study and the type of data involved. The data collected were analyzed through the narrative analysis method (Murray, 2018).

Ethical Considerations

The ubiquitous nature of the Almajirai almost rendered the question of access, participant consent, and other ethical considerations unimportant. Yet, the researcher resisted the temptation to trivialize ethical issues. He spent a considerable length of time with the Almajirai. They were his respondents at various stages of data collection. These include stages of situational observation, identification, and documentation of salient issues, as well as the selection of participants for further engagement. During the period covering these various stages, he built rapport to make them comfortable with him beyond the level of casual interaction. This made it possible for him to attain an appreciable level of familiarity with them. Consequently, such a familiarity granted him access to some personal, intimate details about them, which ordinarily could not have been accessible to him without such intimacy as occasioned by the research (Fleming & Zagwaard, 2020).

To mitigate the risks of ethical concerns involved in that, the researcher ensured the confidentiality of the Almajirai at all stages of the research (Orb et al., 2000). Despite the long-term, consistent, and repeated observation of the Almajirai, their parents, and their teachers, made by the researcher in Sokoto, he was conscious of the need for a measurable observation. He therefore conducted measurable observations on the subject specifically meant for the study and purposely targeted at the research objectives and questions, rather than base his analysis on his long-term, repeated observation. That informed his selection of the sample from the population, as will be discussed later in this study. It should be pointed out that the study enjoys neither funding nor approval by any government authority. It is, rather, an independent research with no endorsement by any research committee.

Data Analysis

It is of great value to note that this paper has so far paid some attention to research questions 1 and 2 posed earlier, namely, what is the nature of the Almajiri system in Nigeria, and what is the level of learner rights protection with regard to the Almajiri system, in connection with the Katsina Edict? However, the following section of the paper addresses research questions 3 and 4, namely, what is the association between the Almajiri system (as portrayed in the Katsina Edict) and learning crisis in Nigeria, and what educational enrichment interventions have potentials to make the Almajiri system consistent with the indicators and targets of the SDG 4? What follows is a further engagement with the RQs under separate headings.

1. *The Edict*

The Katsina State Government recorded an epochal advance in governance when it issued official proclamation under the tag "Responsible Parenting and *Almajiri* Right Protection Edict." Following to the official order, there were plaudits and encomiums for the State Government from various quarters across the nation. This also coincided with the Federal Government's threat to ultimately proscribe the *Makarantar Allo* system, as the President, Muhammadu Buhari, hinted in his speech on Thursday, June 20, 2019, at the inauguration of the National Economic Council (NEC) in Abuja, which was widely broadcast. The President's pronouncement was grounded in two concerns about the system. One was about the Almajirai (itinerant pupils) being out of school, and the other, security related. The former is common knowledge and may not be controverted, while the latter is arguable and a subject of another piece.

Given the national concerns already generated by the Katsina Edict (*Vanguard*, 7 December, 2021; *Punch*, 9 July, 2019; *ThisDay*, 27 March, 2021), the present article engages critically with it to articulate its implications for human capital development for Nigeria. Situated in the context of the four core principles of the United Nations Convention on the Rights of the Child (UNCROC) of 1989, namely, nondiscrimination, devotion to the best interests of the child, the right to life, survival, and development, and respect for the views of the child, as well as the Nigeria Child Rights Act of 2003, this paper attempt to address the Almajiri learning and learner rights with a focus on the salient components of the Edict displayed above, namely its context, strengths, deficiencies, policy direction, and curricular concerns. This paper also draws some inspiration from the Nigeria Child's Right Act, which stipulates that best interest of a child be of paramount consideration in all actions and that a child be given protection and care necessary for his well-being. Given the importance of the Nigeria Child's Right Act, which is supposed to be a pivot on which the Katsina Edict is grounded, it is not out of place to allude at this juncture to some of the provisions of the Act that are of direct relevance to this paper.

In Section 14 (Part II) of the Act, which covers right to parental care, protection and maintenance, the Act stipulates "Every child has a right to parental care and protection, and accordingly, no child shall be separated from his parents against the wish of the child except (a) for the purpose of his education and welfare; or (b) in the exercise of a judicial determination in accordance with the provisions of this Act, in the best interest of the child." The Act further stipulates, "Every child has the right to maintenance by his parents or guardians in accordance with the extent of their means, and the child has the right, in appropriate circumstances, to enforce this right in the Family court." As regards the right of a child to free, compulsory, and universal primary education, among others, which are the subject of Section 15, the Act stipulates, "(1) Every child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education, (2) Every parent or guardian shall ensure that his child or ward attends and completes his (a) primary school education and (b) junior secondary education."

As regards the Edict, it is contextualized into Katsina State indigeneship by residency, birth or both, provides for a better parenthood for the Katsina State child. Offering a good description of its scope, the Edict defines such central concepts as the Child, *Malam, Makarantar Allo,* Almajiri Rights Protection Commission, and Parents and their

responsibilities. The most salient provisions of the Edict comprise the distance of the Makarantar Allo and the conditions for its proximity and remoteness, as well as for its operations, the responsibilities of the *malam*, and the Commission and State Government. All these elements are well captured and provided for in the Edict, in unequivocal fashion, and therefore constitute its strengths and merits. It is noteworthy that the Edict covers only Principles 2 and a part of Principle 3, of the UNCROC core principles. The evidence of this is that *devotion to the best interests of the child* as well as his *right to life, survival,* and, arguably, *development* are covered in the Edict while *non-discrimination* and *respect for the views of the child* are omitted. Yet, these cannot be characterized as omissions, since the Edict was not formulated strictly for the purpose of implementing the UNCROC articles, even though the indebtedness of the Edict to the Convention is unmistakable.

Similarly, the Edict fails to contextualize into the Katsina setting such salient components of the Nigeria Child's Right Act as are captured in Part II of the Act. While some of such omissions have been captured above in the researcher's description of the Act, other omissions in the Edict include the right to health and health services, right of a child in need of special protection measures, and contractual rights of a child.

2. *The Missing Link*

Aside from the above-enumerated issues, there also are obvious omissions concerning several elements that are supposed to be the core of the Edict. For instance, wherever two parties are involved, the rights of each must be well addressed. This researcher grounds this concern in the context of Standpoint Theory, which identifies a power differential between a group in power and an oppressed group (Harding, 1992). The relevance of Child Standpoint Theory to this Edict lies in its provision of a theoretical framework to explore how presumably oppressed groups experience their position, and helps identify a way to challenge the group in power. Among the standpoint theories that have been explored, a Child Standpoint Theory that is still in its formative stage has attracted more than the expected degree of attention in the corpus of Children's Rights Protection (Medina-Minton, 2019). In the development of a Child Standpoint Theory that offers a good theoretical direction for the Edict in question, there is need for a thorough diagnosis of the child's experience to determine whether his parents and, by extension, his Malam does not have any rights worthy of being captured or anticipated. This is a major omission in the Edict.

The Edict contains some of what may pass for certain aspects of children's rights in the context of the Convention, and that triggers the questions "Are children's rights universal? Is childhood constructed the same way at different times and places?" For the wheel of responsible parenting and Almajiri rights protection to come full circle, should there not be a just and fair balancing of the rights of the Almajiri child with the rights of his parents? How can we balance power or rights protection between the Almajiri and his parents, between him and his Malam, between him and the Government, between his Malam and his parents, between his parents and the Government, between his Malam and the Government.

The Edict, like the Convention, seems to have demonstrated some level of insensitivity to this power balancing concern through its silence on rights of Almajiri parents, whom the Convention even requires to uphold "respect for the views of the child." That is not consistent with the Nigeria Child Right Act, whose provisions include Responsibilities of a child and parent (Section 19) and stipulates, in item "1," that every child has responsibilities toward his family and society, the Federal Government of Nigeria, and other legally recognized communities, nationally and internationally. The most remarkable part of the provisions in the section under discussion is tagged "2" and reads, "A child shall, subject to his age and ability and such other limitations as may be contained in this Act and any other law, to (a) work towards the cohesion of his family and community (b) respect his parents, superiors and elders at all times, and assist them in case of need." It is interesting that the idea of this last provision is missing in the Katsina Edict as well as in the UNCROC. What this implies is that the Edict has not sufficiently factored the provisions of the Nigeria Child Right Act into consideration.

Not providing for the parents' rights is as culturally disastrous, Islamically speaking, as directing the parents to "respect the views of the child." Tagged Pedagogy of Listening in the field of Curriculum and Pedagogy, the danger in this practice lies in Solak and Erdem's (2016) interpretation that respecting the child's views means "listening to the child's voice and includes the child being heard, and being listened to, the right to express an opinion, and the right to contest, challenge, debate and question." When a child is accorded the rights to "contest" and "challenge" in the absence of clearly stipulated and expressly articulated, corresponding parents' rights, it follows logically that the objective of the much desired responsible parenting is defeated from the onset.

3. *Learning and Learner Rights*

The central component of the Almajiri system, which is learning in the form of Qur'anic education, is another major element that this Edict is totally silent upon. It is imperative to note that learning does not flourish by itself unless it is driven or facilitated through teaching by a knowledgeable or skilled individual known as the teacher. Again, the Edict is silent on what is required to teach in an Almajiri system. The closest to this among the provisions in the Edict concerns not the intellectual capacity but the financial capability of the Malam to provide for the welfare of the learner. The Edict also captures the spatial capacity of the Makatantar Allo to accommodate the number of students enrolled. Closely related to teacher capacity is what should be taught and how it should be taught in the Almajiri system. What should be taught should be content generated from learning experiences formulated in consonance with the age and cognitive level of the child. Yet, the Edict seems oblivious to these vital elements.

The Almajiri Edict is a good official proclamation, and the Katsina State Government deserves plaudits for thinking it appropriate to engage with the issue with an eye on reforms. However, the omission of the learning component in such an Edict may not really be overlooked. After all, the centrality of learning to Almajiri children's life is common knowledge in the literature. What is obviously missing includes ingredients for the cognitive, psychomotor, and affective development of the child. In order for the Almajiri system to produce a holistic Muslim individual, learning experiences should be formulated for the pupils in a manner that is consistent with their behavior, experience, and level of achievement.

To further demonstrate the lopsided nature of the Edict and articulate the rationale for the inclusion of some elements of parents' rights, it may be argued that even Massachusetts Body of Liberties of the 17th century, which contains the earliest recognitions accorded children's rights, required parents not to use unnatural severity against their children and gave children free liberty to complain to Authorities in the event of parents' violation of their rights, but, at the same time, prescribed the most tortuous penalty for children over 16 who disobeyed parents (Kibler, 2020; Hawes, 1991; The Harvard Classics, 1909–1910). The issue of interest here is not the tortuous nature of the penalty, for that was a 17th-century legislation. The interesting question is rather that children's rights have always gone hand in hand with parents' rights, from the earliest times of such an idea, and the Katsina experience must be cognizant thereof. It is remarkable that the dearth of a just, fair, balanced, and egalitarian children's rights

protection framework may not be totally divorced from the factors instrumental to the decline of the children's rights movement in the 18th century before its revival in the 19th century.

It is an axiom that an African or a Muslim child must be disciplined, whereas discipline over children is no longer emphasised in most advanced industrial societies of the West. The Almajiri child is a Muslim and his rights and those of his parents should be grounded in the Islamic principles on child/parent relations in the context of today, with careful attention to his circumstances and peculiarities.

Why is the omitted learning component of the Almajiri system so salient as to be deserving of adequate attention in such an Edict? One, the Almajiri system, as earlier noted in the literature review, was, before British colonization, a system of cultural and social reproductions whose hitherto excellent and productive outcomes were gainfully relied upon by citizens constituting the largest section of the Nigerian population, in their various activities and interactions with other sections of the country at local, regional, and national levels. Two, the system, as already articulated, accounts for the largest percentage of the out-of-school children, which is the greatest threat to development through education in Nigeria, which, based on available evidence, is unarguably known globally as the country with the largest number of out-of-school children. Three, the Almajiri system of the precolonial era, unlike that of the colonial and postcolonial era, was arguably characterized by efficacy. The fact that the system had functioned differently within different contexts of space and time calls for a departure from the dominant, stereotypically uncritical approach to research into the subject which unfortunately culminated in the emergence of a scholarship of the Almajiri system promoting the perception that the system is anything but useful. Some reforms are suggested below for the improvement of the system.

It is estimated that about 258 million children and youth are out of school (UIS, 2018). This includes 59 million children of primary school age, 62 million of lower secondary school age, and 138 million of upper secondary school age. The heart of the argument is that the Almajirai are characterized as out-of-school children because most of them do not attend conventional primary or secondary school. Nigeria is the country with the highest number of out-of-school children, estimated at almost 14 million, 7 million of them being in the Almajiri education system, 5.2 million of them being nomadic children, while 1.7 million are internally displaced (Global Citizen, 2018). The fact that such a large number of

Nigerian children are not in school portends an unfavorable future for the national economy. While this represents those who are out of school, there is another large percentage of Nigerian children who, as noted earlier, are in school but not learning as school attendance does not necessarily imply that learning has taken place. This is true in view of the fact that the absence of required instructional facilities, trained and qualified teachers, curricular considerations, as well as student-related experiences are among the factors with potential to handicap effective learning.

4. Implications for Education in Nigeria

It was probably in a bid to mitigate the risks involved in the growing number of the Almajirai that, as noted earlier, the Federal Government, in April 2012 and through the Universal Basic Education Commission (UBEC), launched an education initiative called Almajiri Integrated Model School (AIMS). The initiative was intended to integrate Qur'anic schools with modern curricula, increase access to education, and close the regional school enrolment gap between the North and the South. However, Abubakar (2016, p. 149) notes that the initiative has not made any difference as the enrolment and attendance remain low in the Almajiri model schools "because the children and their families were uncomfortable with the initiative and its mode of operation." Yet, the Almajiri education system can be reformed and improved to achieve the objectives targeted by both parents and the government, as will be demonstrated in what follows.

Such an undertaking can be systematically pursued by reconstructing the curriculum and incorporating a few English-based subjects, retraining the teachers, and employing new qualified ones and preparing them for the implementation of the new curriculum and the instructional materials provided to facilitate learning, making the learning environment conducive for effective teaching and internalization on the part of the students and providing appropriate learning experiences in keeping with the challenges and realities of today and producing students or graduates who are registerable for national examinations and admissible into Nigerian schools for further education through the conventional routes.

The Almajiri system is central to the cultural system of the North and flourished excellently for several decades preceding colonialism. Northerners, therefore, may not prefer a culturally new and ideologically alien education system to the one that had, for centuries, produced excellent manpower for their sociocultural setting. What the Almajiri system needs

are modern competencies and outcome-based ingredients that will make it function well in the context of SDG-4. This requires, first, a careful assessment of the antecedent variable that concerns the circumstances surrounding the Almajiri life. The assessment of the antecedent variable is followed in immediate succession by the determination of the input variable that governs teacher quality, institutional capacity, student learning, and instructional facilities, all of which determine the output of learning. It is the input variable that determines the output variable, which is what the parents are not pleased about in the learning of their children.

If the Almajiri system must be proscribed, the National Curriculum Conference of 1969 would have been the appropriate occasion for such a decision. It is common knowledge that neither the Federal Government nor the State Governments in Nigeria recognized the Almajiri education, as neither employs graduates of the system. Similarly, no universities in the Muslim world recognize the system for admission. This becomes a matter of great concern in view of the fact that the Almajiri students have full rights of the citizenry. The fact that the system focuses essentially on the teaching of the Qurán, Hadith, Seerah and Fiqh, and associated Islamic subjects makes the Almajir learning unattractive. However, the system could be improved based on technically sound formulations that encompass the inclusion of English, Mathematics, and other basic modern education subjects. A technically sound reform of the system will certainly be comprehensive, inclusive, systematic, and contingent upon structural curriculum changes, approached with a strong political will.

CONCLUSION

This paper examined the learning and learner rights component of the Katsina Edict on the Almajiri system. The paper posited that what is needed may not really be just special schools for Almajirai, but Almajiri schools with regional foci generated from the national curriculum framework. Findings from this paper exposed the strengths and deficiencies of the Katsina Edict and offered ameliorative interventions in the context of global learning needs. The paper advocated the repositioning of the Almajiri system as an inclusive education system for which each geopolitical zone in Nigeria should be encouraged to have its own customized curriculum formulated from the national framework. It added that a regional Almajiri curriculum generated from a national framework based on formulations grounded in theoretical foundations and best practices in curriculum

designing for specific settings has the potential to facilitate the attainment of SDG-4 with its numerous indicators and targets. In the parlance of curriculum and pedagogy, the rationale for a regional curriculum lies in its potential to accommodate sectional or regional peculiarities, thereby offering an educational blueprint that is faithful to both the national philosophy and local peculiarities. The study enjoined the Federal Government of Nigeria to embrace the Communication for Development approach to issues of reforms, as this will offer a better understanding of the social and cultural consequences of certain decisions or policies (Servaes, 2008). The paper emphasized the need for the Government to involve the Emirs and Native Authority (now Local Governments), who were funding the Tsangaya schools in the precolonial era, in any reform process concerning the Almajiri education system. The study also enjoined the Federal Government to extensively pursue stakeholder buy-in in its pursuit of a systematic reform of the system.

Note

1. The vice-president of Nigeria Namadi Sambo revealed in 2012 that available records indicated that the number of Almajiris was more than nine million. He noted that any development plan that does not focus on comprehensive and all inclusive education programme will not lead to the attainment of her desired social and economic development and added that that was what informed the Federal Government's decision to extend the Almajiri Integrated Model Schools intervention to all the 36 states of the Federation (Premium Times, March 18, 2014).

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APPENDIX

Relevant Provisions of the Katsina Edict

3.1.1. ***Responsibilities:*** *For the purpose of this Edict, it is hereby declared that parents are responsible for the upkeep of their children/ dependents from 0–18years.*

–Training of a child/dependent is the sole responsibility of parents except where it is out-sources under terms that do not infringe on the God given rights of the child/dependent or where the said child or dependent is not disadvantaged compared to his/her peers studying under conditions prevalent in western oriented schools.

–No child should be sent away from his parents to Makarantar Allo far from his parents and area of birth except under specific conditions:

3.1.2. ***Penalty:*** *Any failure or infraction willfully or otherwise by the parents or the Malam or the Makarantar Allo itself will attract a fine of N250,000 or a jail term of 6–12 months or both.*

3.1.3. ***The State Government*** *on its part will ensure that all children legally enrolled in Makarantar Allo far from their parents are provided medical facilities under the NHIS scheme.*

3.1.4. ***From time to time the State Government may intervene*** *in the provision of assistance to these makarantu to augment their capacity and capability to provide and impart Qur'anic education to the children.*

3.1.5. ***Every child must have two files,*** *one in the Makarantar Allo and one with the local government department.*

3.1.6. ***Moratorium:*** *All Makarantun Allo, from the day this Edict come into force, must return children, not resident within the area and to whom the Malam cannot provide items in 3.02 above, within 2 months to their respective parents to be enrolled in makarantu nearer home.*