

**HUMAN RIGHTS AND PUBLIC BASIC EDUCATION IN GHANA:
THE CASE OF THE RURAL CHILD IN AKUAPEM SOUTH
MUNICIPALITY.**

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DECLARATION

This is to certify that this thesis is the result of research undertaken by Nii Bashiru Charway towards the award of the Master of Philosophy (MPHIL) Degree in the Department of Political Science, University of Ghana.

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The right of the child to education is a human right which must be promoted. The child in the rural area has the right to education. In order to achieve this, not only must access at the basic level be granted but the quality must be a matter of concern. This right places legal duty on key stake-holders (state, educator and the parent/guardian) for its realization. Both international and domestic legal instruments guarantee this right and oblige these stake-holders. Even though the state has shown commitment by initiating programmes such as Capitation Grant; Ghana School Feeding Programme (GSFP) and Early Childhood Education (ECE), the quality of basic education received by the disadvantaged child in the rural area of Akuapem South Municipality remains terribly devastating. The child in the rural area of the municipality cannot speak good English and performs poorly in the Basic Education Certificate Examinations (BECE). The situation in this municipality is unique. Unlike other rural areas where this is attributed to unavailability of teachers, there are more teachers in Akuapem South Municipality. This means that the child in the rural area of the municipality does not enjoy his right to education to the fullest. The study attempts to identify the factors that militate against the rural child's right to education by investigating if stake-holders have done enough to promote this right. The study selected schools with unsatisfactory learning outcomes at the BECE results. Sixty-three (63) pupils, forty-two (42) parents, forty-two (42) teachers, and twenty-one (21) headteachers whose views were solicited participated in the study. They were selected from twenty-one (21) public basic schools in twenty-one (21) communities. Three (3) pupils, two (2) teachers, one (1) headteacher and two (2) parents/guardians were selected from these schools and the communities respectively.

Stratified sampling technique was used to draw respondents. Five research instruments were used to gather data. The study raises concern regarding the provision of school buildings and other physical infrastructure, textbooks and teachers; the punctuality, regularity and other acts of educators as well as the regularity and punctuality of pupils. The results show that though the stake-holders attempt to perform their obligations, they have not done enough. The study concludes that the full realisation of the rural child's right to basic education would require the strict adherence to the provisions of the legal instruments that oblige the key stake-holders in this direction. In this manner, stake-holders would have given proper attention to the promotion of this right. It proposes the enforcement of the rules that oblige the key stake-holders by the appropriate authorities.

DEDICATION

This work is dedicated to the rural child in Ghana whose right to education is trampled upon by duty-bearers through their acts of omission or commission.

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LIST OF ABBREVIATIONS

ACHPR	African Charter on Human and Peoples' Rights
ACRWC	African Charter on the Rights and Welfare of the Child
ADRA	Adventist Development and Relief Agency
AU	African Union
BECE	Basic Education Certificate Examinations
CRC	Convention on the Rights of the Child
CRS	Christian Relief Service
ECOSOC	Economic and Social Council
ECE	Early Childhood Education
FCUBE	Free Compulsory and Universal Basic Education
GA	General Assembly
GES	Ghana Education Service
GPRS	Ghana Poverty Reduction Strategy
GSFP	Ghana School Feeding Programme
ICCPR	International Convention on Civil and Political Rights
ICESCR	International Convention on Economic Social and Cultural Rights

JHS	Junior High School
MDGs	Millennium Development Goals
OAU	Organisation of African Unity
PNDC	Provisional National Defence Council
PTA	Parents/Teachers Association
PTR	Pupil Teacher Ratio
SIGN	School Feeding Initiative Ghana-Netherlands
UDHR	Universal Declaration on Human Rights
UN	United Nations
UNGA	United Nations General Assembly
UNICEF	United Nations Children's Fund
WFP	World Food Programme
WVI	World Vision International

CHAPTER ONE

INTRODUCTION

1.1 BACKGROUND

By the end of the twentieth century, human rights, a political-philosophical idea, had become an ideology, achieving near-universal acceptance, with little dissent.¹ Human rights aim at identifying the prerequisites for leading minimally good life, such as right against torture, right to health care, as well as right to education. This aspiration has been enshrined in various international declarations and legal conventions issued during the past six decades. Some of these international human rights instruments are the Universal Declaration of Human Rights (UDHR)-1948, the International Covenant on Civil and Political Rights (ICCPR)-1966, and the International Covenant on Economic, Social and Cultural Rights (ICESCR)-1966. These three are together referred to as the International Bill of Rights.²

Various regions have also adopted human rights instruments to reflect their respective specific conditions. For example, African states under the auspices of the Organization of African Unity (OAU) now African Union (AU) promulgated and adopted the African Charter on Human and Peoples' Rights (ACHPR), also referred to as the 'Banjul Charter' in 1981.³

Whenever it appeared that any particular group deserved special protection, specific instruments were promulgated to protect such vulnerable groups. Examples of such instruments are the International Convention on Prevention and Punishment of the Crimes of Genocide (ICPPCG)-1948, International Convention on the Elimination of all

Forms of Racial Discrimination (CERD)-1965, Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)-1979.⁴ The Declaration on the Rights of the Child (1959), the Convention on the Rights of the Child (CRC), and the African Charter on the Rights and Welfare of the Child (ACRWC) are also examples of instruments to protect the rights of a particular vulnerable group - the child. Within the instruments to protect the rights of the child are enshrined various rights of the child, such as the right to life, survival and development; respect for the views of the child; right to name and nationality, preservation of identity, as well as the right to education (the focus of this study).

Ghana has demonstrated her commitment to human rights through the ratification of the key human rights instruments including those of the child, and has taken legislative steps at the national level to implement obligations prescribed by these treaties. There are also laws existing in Ghana to provide protection to the minority as well as vulnerable groups. Some of these are the Domestic Violence Act; the People with Disability Act; Human Trafficking Act; and the Children's Act.⁵

Specifically on education, apart from the constitution⁶, Ghana has shown commitment in achieving the Universal Primary Education-Millennium Development Goal (MDG) number 2 by ensuring that children everywhere in Ghana both in the urban and rural areas will be able to complete a full course of primary schooling. This commitment towards achieving the educational goal is reflected in policy frameworks and reports such as the Education Strategy Plan (ESP) 2003; Ghana Poverty Reduction Strategy (GPRS 1) and Growth and Poverty Reduction Strategy (GPRS II); and Education Sector Policy Review Report (ESPRR) 2002.⁷

In addition to the above, the government has adopted various strategies such as the Capitation Grant (School Fees Abolition), Ghana School Feeding Programme (GSFP), and Early Childhood Education (ECE) to encourage a lot more children to go to school, thereby promoting the right of the child to education.⁸ These policies are much beneficial to rural areas where poverty is endemic. These resulted in increase in enrolment in the public basic schools all over the country including Akuapem South Municipality.

1.2 STATEMENT OF RESEARCH PROBLEM

As the government sought to achieve the Universal Primary Education, it introduced the Free Compulsory and Universal Basic Education (FCUBE) in 1996 in fulfilment of Article 38, Section 2 of the 1992 Constitution of Ghana which states that the Government shall, within two years after Parliament first meets after the coming into force of this Constitution, draw up a programme for implementation within the following ten years, for the provision of free, compulsory and universal basic education. The main goal of the FCUBE was to give every school-age child the opportunity to receive quality education. This programme was not totally free but some sort of cost-sharing between the state and the parents/guardians. What was free under the FCUBE was the tuition fee. Parents paid for PTA contributions, Sports fee, Culture fee and other fees. This arrangement placed financial burden on poor parents and therefore made basic education beyond the reach of their children.

To avoid the situation where some children of school-age are not able to go to school, the government introduced a number of interventions including the Capitation Grant the GSFP and the ECE Programme. These policies, like the FCUBE, have their main

objectives of promoting the child's right to education, both access to basic education as well as quality basic education. The Capitation Grant for example, which started in 2005/2006 academic year encouraged parents who could not send their wards to school, to enrol them. Under this programme, school fees are totally abolished in public basic schools. In addition, every public basic school received an amount of money¹ per pupil enrolled per year.

As Adamu-Issah et al⁹ have stated, getting children in school is one thing, but keeping them in school and ensuring that they learn is another. The GSFP ensured the retention of the children in school. The basic concept of this programme is to provide children in public primary schools and kindergartens with one nutritious meal on every school going day. Like the Capitation Grant, it also began in 2005 and targeted at children in the poorest areas in low literacy districts as well as deprived ones. The main objective is to improve enrolment, encourage attendance, and ensure retention. It is also to improve performance.¹⁰

The ECE, (the two-year kindergarten education programme) was incorporated into the FCUBE in 2004 as a key to preparing children between four and six years for successful primary school experience also had immediate and substantial impact on enrolment. It freed the girl-child who was supposed to take care of the little sibling and therefore could not go to school, to enrol." These policies and strategies are to ensure that the rural child in the public basic school enjoys his or her right to education by not

¹ Initially it was three Ghana Cedis but has been increased to four Ghana Cedis fifty Pesewas.

just creating access to education, but also ensuring quality. In spite of this attempt, the standard of education in the rural area is low.

In Akuapem South for instance, children in public basic schools in the rural areas are not able to respond to simple questions in the English language. The reading of simple sentences is also a problem. This situation then translates into poor performance in the Basic Education Certificate Examinations (B.E.C.E.) where almost all the rural schools obtain less than fifty percent (50%) pass. According to the 2007 B.E.C.E. results analysis of the municipality, three schools had zero percent and the 2008 analysis also shows that one of the schools repeated the zero percent. Contrary to the view that poor educational standard in rural areas is attributed to inadequate number of teachers, this is not the case in Akuapem South. According to Mrs Stella Nanor¹², the Municipal Director of Education, the public basic schools are over-staffed. This means that there are more than enough teachers in the municipality. Though no figures were given, preliminary observation revealed that Pakro Anglican Junior High School (JHS) with about seventy pupils has nine (9) teachers in the school and Ahyiresu L.A. JHS also has nine teachers handling a total number of sixty pupils. In a situation like this there is the need for an investigation. This research seeks to find out if **stake-holders have done enough to promote the educational right of the rural child in Akuapem South Municipality.**

To aid this research the following questions will be addressed.

- What are the international and domestic human rights documents that oblige stake-holders to promote the child's right to education? How do these documents oblige the stake-holders?

- What interventions in terms of policies, strategies and programmes have been taken by government to promote the rural child's right to education?
- What factor(s) militate against the full enjoyment of the educational right of the rural child in public basic schools in Akuapem South Municipality?

1.3 HYPOTHESIS

The hypothesis that will guide this research is that, the inability of stake-holders to give much attention to the promotion of the educational right of the rural child, has led to the poor standard of education in the rural areas of Akuapem South Municipality.

1.4 OBJECTIVES OF THE STUDY

The research aims at achieving the following objectives:

- To examine the legal framework (both international and domestic) for the promotion of the child's right to education.
- To examine the nature of policies and strategies pursued by government to promote the rural child's right to education in public basic school in Akuapem South Municipality.
- To identify the factors that militate against the full enjoyment of the educational right of the rural child in public basic school in Akuapem South Municipality.

1.5 THEORETICAL FRAMEWORK

Natural law theory and positive law theory (positivism) are the main theories in the study of human rights. Natural law, traced from ancient Greece through the medieval

period and the enlightenment to post-world war II revival, is the parent of natural right which claims legitimacy from a certain moral world view.¹³ According to this theory, human rights are those conferred by God or discernible by human reason and that man made laws must conform to it. It distinguishes between ‘right of man’ (which pertains to those rights a person has by virtue of being human) and ‘the rights of the citizen’ (which pertains to the right a person has because of membership of a particular society).¹⁴

Positive law theory, otherwise known as ‘legal positivism’ or simply ‘positivism’ is the theory on which this research is based. The theory was developed by Auguste Comte but 20* century positivists such Hans Kelsen took the theory to its most abstract logical form.¹⁵ According to the theory, human rights are those, which have become part of the positive legal system (law of the state) and derived from the will of the state or the command of the sovereign.¹⁶ They are rights recognised by positive law which is conceded and enforced by the law of the realm and the government will come to the right-holder’s aid if any one tries to stop the enjoyment of such rights. Rights are also objective.¹⁷ In this sense, human right according to the theory of positivism is verifiable.

The relevance of the theory to this research is that, the right of the child to education is explicitly spelt out in various legal documents and therefore recognised by the legal system of Ghana. Some of these documents are the UN Charter, the International Bill of Rights, the CRC, the AU Charter, ACRWC, the 1992 Constitution of Ghana, the Children’s Act, and the Education Act-2008 and other legal documents.

1.6 LITERATURE REVIEW

Talk about human rights did not begin in the twentieth century, but has a long history. Cranston¹⁸, Henkin¹⁹, and Wellman²⁰ contend that human rights are derived from the notion of natural rights. Human rights gained currency after the Second World War. It is a twentieth century name for what has been traditionally known as natural rights in the seventeenth century in the writing of John Locke. It was adopted in the U.S. Bill of Rights (June, 1776), in the American Declaration of Independence (July, 1776), and in the French Declaration of the Rights of Man and the Citizen (1789).

While Wellman agrees with Cranston that natural rights are of ancient origin²¹, Henkin traces the idea of human rights from John Locke. Henkin adds that, international human rights, however, can be traced from the famous “Four Freedoms”²². He states, “international human rights might be said to have been conceived on January 6, 1941, the date of the famous ‘Four Freedoms’ message to Congress by President Franklin Delano Roosevelt (FDR), and was born on December 10, 1948, the date on which the Universal Declaration of Human Rights (UDHR) was proclaimed by the General Assembly of the United Nations (UN).”²²

Cranston goes further to explain what it means to have rights by distinguishing between positive rights and moral rights. Positive rights, he asserts, are the rights recognised by positive law and therefore enforceable by law. Moral rights on the other hand, are talks about justice which are based on justification rather than proof. He however concedes that, though there is the distinction between “what is” and “what ought

² The “Four Freedoms” represent freedom of speech, freedom of religion, freedom from want, and freedom from fear.

to be”, between the realm of fact and that of morality, human rights are both positive rights and moral rights where human rights are upheld by positive law because people have what they ought to have.²³

Cranston²⁴, Eze²⁵, and Wellman²⁶ assert that human rights are grouped into civil and political rights, and economic, social and cultural rights. The civil and political rights include right to life, right to liberty, right to fair trial, and right to vote and be voted for. The economic, social and cultural rights include right to work, right to social security, right to participate in cultural life, and right to education.

Wellman, in his categorisation, uses the concepts, “first generation” of human rights, and “second generation” of human rights which correspond to civil and political rights; and economic, social and cultural rights respectively. He goes further to include a third category known as “third generation” of human rights, most often called right of solidarity. These include right of all humanity to peace and to healthy environment. These rights, he reiterates, are of social groups rather than individuals. They hold against all humanity and therefore demand worldwide action.²⁷

Cranston continues the discussion by stating that the economic and social rights are not real human rights, and that “the attempt to do so has vitiated the whole enterprise of protecting human rights through the United Nations.”²⁸ The argument, according to Cranston, is both philosophical and political. Philosophically, these economic and social rights do not make sense, and politically, they hinder the effective protection of what are correctly seen as human rights. He supports his argument with the following reasons; one, the economic and social rights cannot be transformed into positive rights by

analogous innovations; two, the promotion of these rights needs more than the making of laws but involves great capital wealth which many governments do not have; three, these rights are not genuinely universal moral rights. That is, they cannot be applied to everyone; four, these rights do not pass the test of paramount importance. He concludes that human rights are something of which no one may be deprived without grave affront to justice.²⁹

For Eze, the groupings are not rigid. There are interrelationship and interdependence between the civil and political rights on one hand, and the economic, social and cultural rights on the other. He states, “in the last resort they are all exercisable within societal context and impose obligations either on the state or on state agencies as well as on the individuals not to derogate from these rights. Human rights thus have as a corollary a duty imposed on society to ensure their protection.”³⁰

The literature above talk about human rights in general and not specific form of human right. This study fills the gap by placing emphasis on the right to education specifically.

Writing on human rights in Africa, Shivji (1989) observed that the arguments on the extent to which the concept is universal or culturally relative are made at four levels. The first level relates to the historical genesis and the philosophical basis of human rights as western origin and therefore has their roots in the specific circumstances of the Western society. The second level relates to the validity and applicability of human rights conceptions which he agrees with other writers that they have universal validity and applicability. The third level identifies rights in the traditional African society as similar

to those in the West or in the modern conception of human rights. Finally, the fourth level places human rights within the cultural relativist paradigm which argues that African societies had conceptions of human rights different from the Western where individual rights are not emphasized but collective rights.³¹

He further observes that the philosophical discussion on human rights broadly divides into two major tendencies, namely, one relating to natural law and the other relating to positive law (positivism). Natural law is considered the parent of natural right (which underpins the English Petition of Rights-1627, the American Declaration of Independence-1776, and the French Declaration of the Rights of Man and Citizen-1789). However positivism criticized natural law tradition as “nonsense on stilts”.³² He asserts that Western philosophers centred their discussion of rights on both the moral and the legal plane, Africans and Africanists set the discussion solely on the legal plane at two levels namely national and international. The national pertains to the nature of constitution in Africa and the extent to which they do or do not protect human rights and if they do, how far these are respected and enforced. At the international level, they departed from the UN instruments and question their relevance to Africa. They also discuss the desirability to develop a regional mechanism of human rights protection and adoption of an African Convention of Human Rights.³³

On right-holders, he identifies three groups - individuals, states, and people. Western liberal theory views the individual as constituting the unit of organised society and therefore the primary holders of rights. The individual is anterior to organised society, comes into it with his rights but voluntarily surrenders in part through social contract. This view, he asserts, is attacked by the socialist, that at the domestic plane, the rights of

the individual are those given by the laws of the state and therefore sees the state as the subject of human rights. To the African, on the premise of culturalist point of view, argues that rights-holders are cultural groups (collective community) rather than individuals. The notion of individual rights is foreign to African ethno philosophy and has found expression in the discussion of international covenants such as the ICESCR and the ICCPR. He adds that states or governments are ultimately responsible for the rights of the rights-holders that, one, they (governments) do not interfere with the freedoms and rights of holders (negative obligations), and two, they (governments) help to realize certain rights such as economic and social rights (positive rights). This is because states are the ultimate organized authority in society. States also have the duty of sanction against violations of human rights even though there is the argument that international/regional body would be responsible to punish infractions of human rights.^M

Having agreed with others in categorizing rights into political and civil, and economic, social and cultural, Shivji goes on to discuss which of the categories is more important. He states that socialists give priority to social and economic rights and consider these as the bedrock of other superstructural rights. It is obvious from his writing that he supports his views with the comments of others on the issue. He however asserts that, this view is criticized by Rhoda Howard who calls it a “full-belly thesis” which states that the man must be full before he can indulge in “luxury” of worrying about his political freedoms. Shivji concludes that political/civil rights are as much a means to an end as end and goals in themselves as are social and economic rights. However, since there can be conflict between these classes of rights in the process of development, African governments have argued for an integrated/comprehensive view of

rights. That is, no one class of rights is more important than the other and there cannot be trade-off between them.³⁵

It is significant to note that the above studies too are on human rights in general. They do not specifically touch on the right of the vulnerable such as the child. This gap, the research intends to fill.

Writing on human rights in Ghana, Busia (2003) located the legal protection of human rights in the political history tracing it from 1957 when the country had independence, through the various military and civilian regimes, to the 1992 Constitution.

He states that the Convention Peoples Party (CPP) placed social and economic rights over and above civil and political rights and therefore gave priority to collective rights over individual rights. Ghanaians under the Convention Peoples Party (CPP) from 1957-1966, witnessed serious struggle for political power and hence the use of legal means such as the Deportation Act-1957 and the Preventive Detention Act (PDA)-1958 by the government to silence its opponents thereby violating the rights of the individual. The 1957 Constitution could not protect the human rights of the citizens because there was no bill of rights provided. These oppressive situation and lack of respect for civil liberties created a welcomed atmosphere for the National Liberation Council who also maintained the PDA as the Protective Custody Decree of 1967(NLCD54).³⁶

On the Second Republican Constitution of 1969, Busia states that, even though the constitution laid satisfactory foundation of the rules for liberal democratic governance, entrenched human rights provisions, and introduced separation of powers and the principle of judicial independence. K. A. Busia, the prime minister, refused to accept the

decision of the judiciary in the case “Salah vs. Attorney General when Mr. Salah’s right to work was violated by the government. This notwithstanding, the Progress Party government is generally considered as a regime with a very good record for the promotion and protection of civil and political rights in the history of Ghana and that, even in the area of economic and social and cultural, supporters argue that by embarking on rural development, the government was committed to these rights stipulated in the ICESCR.³⁷

Busia goes on to state that, human rights were frequently violated under the military regimes, from the National Liberation Council (NLC), through the National Redemption Council (NRC) to the Provisional National Defence Council (PNDC). Nevertheless, the PNDC regime had the worst human rights record in the political history of Ghana as arbitrary detention, torture, harsh prison conditions and death sentences meted out to political opponents were common occurrences in Ghana before the transition to democracy that began under the 1992 constitution. He however asserts that the PNDC was an improvement over other regimes in the promotion of human rights as the era promoted the right to housing, access to justice, inheritance right, and the establishment of the Ghana National Commission on Children to protect the rights of children. In spite of this minimal success, both national and international pressures mounted on the PNDC to return the country to democracy saw the establishment of the National Commission on Democracy to advise the PNDC on how to transform. The commission affirmed that human rights issues are the key concerns of the people of Ghana, placing paramountcy on economic, social and cultural rights. A new constitution was drafted in May 1992 by the Constitutive Assembly to address these concerns and was presented to the people of

Ghana in a referendum. This constitution provides for political and civil rights as well as economic and social rights. It also makes explicit provisions to protect the rights of vulnerable groups such as women, disabled persons, the sick and children.³⁸

Like the other authors above, his study did not place emphasis on the rights of the child, though the study is on Ghana.

Both Alston³⁹ and Rwezaura⁴⁰ explore the meaning of “the best interest” principle in Article 3(1) of the CRC which states that, in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interest of the child shall be a primary consideration. Both writers view the principle within the socio-economic and cultural context of the society in which it is evoked.

For Alston, the CRC is the most detailed and comprehensive of all existing international human rights instruments because it has developed and built upon the UDHR. Though, the “best interest” principle is mentioned in other articles within the CRC and in other international instruments, the most important formulation is that contained in Article 3(1) because one, some of the international instruments are not concerned about the rights of the child but rather that of others; two, the child is more of an object than a subject in those instruments; and third, the Article 3(1) applies to all actions concerning children. He goes on to say that, in spite of the universality of the principle, there are different conceptions of the principle in the different societies in which it is evoked.

He identifies the role Article 3(1) might play in the future in relation to children's rights. One, it is used as the yardstick when implementing other rights in the convention; to resolve conflict when different rights within the convention clash ; and to evaluate the laws and policies/practices of State parties on matters not regulated by positive rights. However the ability to serve the mediating purpose will depend on the cultural practices that prevail in a given society.⁴¹

Rwezaura argues that, the interpretation and application of the principle, 'best interest of the child' is influenced by the social and economic conditions of state and that "the worsening economic conditions of Africa have led to the narrowing of the best interest concept to mean simply the satisfaction of the child's material needs."⁴² He explains that, the international community shares a common desire to protect children and their rights, but there is no agreed standard by which compliance can be measured because the international community is very diverse politically, economically and culturally. These factors have affected the conception and understanding of the principle of the best interest of the child in Article 3(1) of the CRC.

Alston and Rwezaura narrowed their studies to an international human rights instrument that protects the rights of the child. The research extends the studies to cover domestic or national documents and policies that promote the right of the child to education.

Price⁴³ traces the history of education from the earliest time (when education was solely informal), through Sophists, Socrates, and Plato in ancient times (when formal education started) to John Dewey in modern times. He explains that, there was a period

when culture was transmitted spontaneously from one generation to another without any specific agency devoted to that purpose. However, the increase in volume of culture introduced specialisation in order to master what was to be known and transmitted. This therefore made teaching a specialised area, finding lodgement in a special class of persons. This specialisation, Price continues, presented two consequences: it introduced research to help improve the transmission of culture, and the placement of responsibility for teaching on a specialised class who therefore asked for a fee for their service. This innovation started with the sophists. He adds that, while Socrates introduced critical thinking in teaching; Plato advocated a system of universal, compulsory, public education from birth to maturity to bring about individual and social improvement where everyone should be taught to read, to write and to count; and Dewey believes that education must reform society positively and that schools are the basis for this social progress.

Curren⁴⁴ and Mbilinyi⁴⁵ are of the view that education is political. Mbilinyi for instance, states that, education of a certain kind and quality is a struggle in which all persons of all ages have a stake because they took part in major public debates about the structure and content of education during Nyerere's administration. Mbilinyi states, "contrary to the present, Tanzanians, not donors, took the lead in taking decision on education policy. The views of experts were countered by those of politicians and ordinary peasants and workers."⁴⁶

Curren continues the discussion by tracing the etymology of the words "education" and "pedagogy" to argue that education is political. He contends that, the Latin root of education, "educare", is related to "educere" which means "to lead". The terms "pedagogy" and "pedagogue" (schoolteacher) also derive from the Greek word

“paidagogos” which means “to lead a child” are terms of governance hence education is a form of government. He continues, as a form of governance, education entails justification (the authority to educate); responsibility (the adequate and equitable provision of education); aim (aims of education); manner (pedagogy and educational ethics); and content (curriculum).⁴⁷

On educational authority, Curren identifies parents and educators as the authorities to educate children. He is concerned with the role of parents in determining the content of public education and the extent to which the professional educators are accountable for their performance once they are employed. On educational responsibility, Curren borrows Guttmann's assertion that, every citizen be provided an education that will make him/her participate effectively in the democratic process. On educational aim, he is of the view that the promotion of autonomy is the dominant aim of education. On pedagogy, he states that, there are content delivery approach and critical thinking approach. These have been named “banking” and “problem solving” approaches respectively. Finally, on the content, he maintains the view that multicultural curriculum gives a more accurate view of the world thereby promoting intercultural understanding or global citizenship.⁴⁸

The literature above discuss education in general. The gap this research fills is to narrow the studies to public basic education.

Contributing to the discussion on education, Nyerere⁴⁹ and Siegel⁵⁰ discuss the aim(s) of education. According to Siegel, though other scholars have cited truth⁵¹; critical thinking (rational justification); knowledge; and understanding⁵² as the aims of education, the fundamental aim of education, for him, is knowledge, which includes both truth and

rational justification. He explains that, apart from the fact that not all modes of transmitting truth to students (such as brainwashing, indoctrination and deception) are educationally acceptable, mere truth is less adequate than truth based on rationality. This then leads to better knowledge hence the aim of education is knowledge.

Nyerere adds that, the primary aim of education is to liberate man, both his mind and body, and to free a nation from economic and cultural dependence on other nations. He explains that the liberated man becomes aware of his own manhood and the power he has to make good use of circumstances; and to reject slavery and colonialism, poverty, disease and ignorance. He states, “education has therefore to enable man to throw off the impediments to freedom which restricts his full physical and mental development.”⁵³

The present study tries to find out how the aim(s) of education can be realised which the literature above was silent on.

Continuing his discussion on the subject, Nyerere⁵⁴ is of the view that education will in the future be the instrument of domination. He says, “if therefore, we do not want to be permanent source of the hewers of wood and drawers of water for the educated of this world, we must seriously enter this honourable competition for knowledge.”⁵⁵ He therefore advocated a universal education, so that both male and female children can enjoy the right to education; good quality education especially primary education which the Tanzanian lacked; relevant education that could be tailored to the needs of Tanzania without making it inferior to universal education everywhere else in the world. He reminds educators to educate young people for the real life they are going to live in Tanzania, and to prepare them to be self-reliant and self employed if they cannot find

paid employment. He concludes that, though, individuals contribute directly to their education and that of their children, the community (represented by local and central government) have the responsibility of assisting every Tanzanian to receive good education.

Nyerere situated his study in Tanzania and not in Ghana. This study fills the gap by situating it in Ghana.

Adamu-Issah et al wrote on primary education in Ghana. In their writing, they discuss the various policy frameworks (especially the Capitation Grant, the GSFP and the ECE) and assess their impact on the enrolment in primary schools in Ghana. They conclude that, these policies increased access to primary education in Ghana. They however state that the increase in enrolment has not been sufficient to meet the Universal Primary Completion by 2015. Again, access to basic education is lower in some parts of the country notably Northern Region because of socio- cultural factors. They identify* massive overcrowding and shortage of teachers (not in numerical sense but in terms of pupil-teacher ratio) as some challenges that have come with the increase in enrolment. They also state that repetition and drop-out rates (however small they may be), and economic and socio-cultural factors/ practices can affect the achievement of MDG2.⁵⁶

They therefore recommend that a programme (Complementary Education Programme) that is flexible and adaptive and can reach large numbers of children in the 'hard to reach areas' and children living in under-served areas be adopted. They emphasise, this will bring schools closer to pupils, enrol older children who may feel

uncomfortable to enrol in grade one, utilize local volunteers as teachers, allow children to be educated while still supporting their parents.⁵⁷

They however did not touch on the extent to which these policies will promote or promoted the enjoyment of the child's right to educational to the fullest. They also did not place their research within the context of human rights. This is the gap this research seeks to fill.

1.7 DATA COLLECTION

With regard to the information required on the topic, a single data collection procedure was impossible to satisfy the research objectives. The study employed a combination of methods. Information was therefore collected from both primary and secondary sources.

1.7.1 PRIMARY SOURCES

In obtaining the primary data, various research instruments were used. Observation of the activities in some of the selected schools was used. In this regard special visits were made to these schools. In addition, survey designs were used. Questionnaires were distributed personally to gather information from respondents. There were questionnaires for teachers and headteachers. Structured interview schedule for pupils and parents/guardians. In addition, face-to-face interview of key personality from Akuapem South Municipal Directorate of Ghana Education Service was used.

1.7.2 SECONDARY SOURCES

On secondary data, library research was used. The libraries of various institutions and departments were visited. Such libraries included Balme Library, Political Science Department Library, Institute of African Studies Library, Department of Philosophy Library and Faculty of Law Library, all of University Ghana. These libraries were visited for both published and unpublished books and articles. In addition, official documents and reports of state and non-state institutions such as Commonwealth Human Rights Initiative (CHRI) were studied.

1.7.3 POPULATION

The target population included Heads of Basic Schools, Teachers, Pupils, and Parents/guardians.

1.7.4 SAMPLING

The municipality has already been divided into seven (7) circuits for effective educational management. Three (3) basic schools were selected from each circuit using purposive sampling. Stratified sampling and simple random sampling were used to select the respondents for the questionnaires. The population of the selected schools were stratified into teachers and pupils. The pupils were also grouped into lower primary, upper primary, and junior high. A simple random was then used to select respondents for each strata.

One hundred and sixty-eight (168) respondents were selected for the study. They comprised sixty-three (63) pupils; forty-two (42) parents/guardians; forty-two (42)

teachers; and twenty-one (21) headteachers. Three (3) pupils, two (2) teachers, and one (1) head from the selected basic schools, and two (2) parents/guardians from the communities in which the schools are located respectively. Questionnaires were distributed to these respondents. In addition, one (1) key person from the Education Directorate was interviewed.

1.7.5 METHODOLOGY /DATA ANALYSIS

The data that was gathered through the questionnaires was analysed using the Statistical Package for Social Science (SPSS) programme. Tables, percentages, bar-graphs and line-graphs were used in the data analysis.

1.8 EXPLANATION OF CONCEPTS

The following concepts are related to the study and therefore need clarification.

1.8.1 HUMAN RIGHTS

“Human Rights” has been defined differently by different writers. For Eze, ‘Human rights represent demands or claims which individuals or groups make on society, some of which are protected by law and have become part of *ex lata* while others remain aspirations to be attained in the future.’⁵⁸ Cranston on the other hand sees human rights as ‘universal moral rights, something which all men, everywhere, at all times ought to have, and something of which no one may be deprived without grave affront to justice, something which is owing to every human being simply because he is human.’⁵⁹ However in this study, “Human rights” shall refer to demands or claims which

individuals or groups make upon society which are protected by law of which deprivation will be grave affront to the right-holder(s). An example is the right to education.

1.8.2 RIGHT TO EDUCATION/EDUCATIONAL RIGHT

“Right to education” means access to basic education and quality basic education which manifests in good performance in the Basic Education Certificate Examinations (BECE).

1.8.3 EDUCATION

Nyerere sees “education” to be the transmission of the accumulated wisdom and knowledge of society from one generation to the next, and the preparation of the young people for their future membership of the society and their active participation in its maintenance or development.⁶⁰ “Education”, for Omane-Ankuamoah et al, refers to the procedures and practices that lead to an improvement in the quality of individuals, enhanced performance and improved social conditions as a whole.⁶¹ In this study, “Education” means formal basic education.

1.8.4 BASIC SCHOOL

“Basic School” includes Kindergarten, Primary school and Junior High School funded by the state. In short public first cycle institution.

1.8.5 STAKE-HOLDERS

“Stake-holders” mean parents/guardians, educators and the state.

1.8.6 EDUCATORS

“Educators” include teachers, heads of basic schools, and officers at the Municipal Education Directorate.

1.8.7 CHILD

“Child”, according to CRC, ACRWC, and the Children’s Act, is a person below the age of eighteen years old. For the purpose of this study, a “child” means any person who attends a basic school.

1.9 ORGANIZATION OF THE STUDY

The study involves five chapters. Chapter one- the introduction, includes sub-headings such as background to the study, statement of research problem. The review of available relevant literature and the theoretical base of the research are also captured under this chapter. Other things under this chapter are the methodology, the significance of the study, and limitation of the study. The second chapter examines the legal framework for the promotion of right to education. International and domestic documents have been examined. Chapter three takes a look at the profile of Akuapem South Municipality and investigates the various policies and strategies that the government of Ghana has initiated and implemented in order to promote the right to education. Stakeholders and the rural child’s educational right is the fourth chapter. This chapter analyses the data that were gathered. The last chapter puts together the findings of the research and makes some recommendations towards ensuring the full enjoyment of the educational right of the rural child in public basic school in Akuapem South Municipality.

1.10 LIMITATION

Finance and time were the two major limitations to this research. Finance was needed for visits, questionnaire design and administration, to pay research assistant(s), and for data analysis. Time, because, the research was conducted within a specific period which was inadequate considering the demand of the study. Other limitations were the difficulty in retrieving certain relevant texts, documents and information (because of the reluctance of the custodians of such documents and information to do so.

1.11 SIGNIFICANCE OF THE STUDY

Even though there is extensive literature in the field of human rights, the research will augment the available material on the right of the rural child to quality education.

The study will also serve as a guide for further studies to those who would like to research in this area.

Even though there are policies to promote the right to education of the child, the study may serve as reference point for discussion/may trigger discussion among policy makers on the challenges faced by the rural child in the public basic school in attempt to enjoy his/her educational right and therefore lead to affirmative action in relation to the rural child in the basic school.

NOTES

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³ Thomas Buergenthal, Dinar Shelton & David P. Stewart, International Human Rights in a Nutshell. 3rd Ed., (West Group, 2002), p. 282.

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* Ibid, pp. 3-4.

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¹⁶ Osita C. Eze, Op. cit. p. 7.

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¹⁹ Louis Henkin. Op. cit. pp. 4-5.

²⁰ Carl Wellman. The Proliferation of Rights: Moral Progress or Empty Rhetoric?, (Oxford: Westview Press, 1999), pp. 13-15.

²¹ Maurice Cranston. Op. cit. p. 2; Carl Wellman, Op. cit. pp. 14.

²² Louis Henkin, Op. cit. p.4.

²³ Maurice Cranston. Op. cit. pp. 4-6.

²⁴ Ibid. pp. 53-71.

²⁵ Osita C. Eze, Op. cit. Pp .5-6.

²⁶ Carl Wellman, Op. cit. pp. 15-38.

²⁷ Ibid, p. 29.

²⁸ Maurice Cranston, Op. cit. p.54.

²⁹ Ibid, pp. 65-68.

³⁰ Osita C. Eze, Op. cit. p. 6.

³¹ Issa G. Shivji, Op. cit. p. 10-14.

³² Ibid, pp. 17-18.

³³ Ibid, pp. 18-20.

³⁴ Ibid, pp. 24-25.

³⁵ Ibid, p. 26-27.

³⁶ Nana K.A. Busia, Jr., Op. cit. pp. 54-57.

³⁷ Ibid, pp. 57-58.

³⁸ Ibid, pp. 60-68.

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- ⁵⁶ Madeez Adamu-Issah et. al., Op. cit. pp. 1-13.
- ⁵⁷ Ibid, pp. 14-15.
- ⁵⁸Osita C. Eze, Op. cit p. 5.
- ⁵⁹ Maurice Cranston as cited in Issa G. Shivji, Op. cit. p. 21.
- ⁶⁰ Mwalimu Julius Nyerere, Op. cit p. 124.



⁶¹ Joseph Omane-Ankuamoah, Charles Obeng-Ampadu, Daniel Asamoah, Ben Douglas Baffoe-Bonnie & David Prah, Principles and Practice of Education for UTDBE Programme. (Accra: Teacher Education Division, 2004), p. 4.

CHAPTER TWO

LEGAL FRAMEWORK FOR THE PROMOTION OF THE CHILD'S RIGHT TO EDUCATION.

2.0 INTRODUCTION

In the discussion in this chapter, the following key issues are worth noting:

- 1) Education is a human right and therefore all human beings are entitled to by virtue of being human.
- 2) The rural child in Akuapem South Municipality is a human being and therefore entitled to the right to education.
- 3) International bodies such as the UN and the AU have provided the legal basis for the enjoyment of this right and these are found in various documents.
- 4) Ghana, a member of these institutions has domesticated the standards into laws, rules and regulations that can be found in various documents.
- 5) The enjoyment of this right by the rural child (first party) in Akuapem South Municipality imposes legal duty on stake-holders (second party).

Right to education, as a basic human right, has the foundation for its promotion spelt out in various documents. Some of these documents are international while others are domestic. Among the international documents that are examined under this chapter are the UN Charter, the International Bill of Rights, the CRC, the ACHPR and the ACRWC. The domestic legal framework includes the 1992 Fourth Republican Constitution of Ghana, the Children's Act-1998, and the Education Act-2008.

2.1 INTERNATIONAL LEGAL FRAMEWORK

Even though the idea of human rights predates the 20th century, it gained impetus only after the 2nd World War. One of the reasons was the codification of the various rights in a written document which sets standards for the protection and promotion of these rights by states. One of the rights found in these international documents is the right to education. The provisions on the right to education oblige states to promote the right. In other words, the right to education imposes a legal duty on states and other stakeholders to ensure its promotion. These documents are as follows.

2.1.1 THE UN CHARTER

Modern international human rights law is a post-World War Two phenomena, but it can be traced from President Franklin D. Roosevelt's 'Four Freedoms' message in 1941.¹ These rights were captured in the UN Charter in 1945. Human rights provisions that were captured in the Charter were far below Roosevelt's expectation and the war time rhetoric because the principal victorious powers had human rights problems of their own. For example, while the Soviet Union and the United States had to deal with Gulag and dejure racial discrimination respectively, France and Britain were involved in colonial activities. It was therefore not in their interest to establish an effective international system for the protection of human rights. However, the UN Charter is the first legal document to lay the conceptual foundation for the development of contemporary system of international human rights.²

The Preamble of the UN Charter is loaded with statements on human rights. It states:

We the Peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom.

Though the preamble on human rights is not binding, the statement shows the willingness of the various peoples to see human beings live happy lives through the protection and promotion of their fundamental rights. They set the foundation for the more binding provisions on human rights in the Charter.

The UN Charter as a whole may be seen as a human rights document as it seeks to promote peace in the world. Peace forms part of the third generation of human rights mentioned by Carl Wellman³, and a peoples' right according to Buergenthal and others⁴. However the specific provisions in the Charter on human rights include Articles 1, 2, 4, 13, 55, 56, 62 and 68.

Article 1 (3), one of the purposes of the UN states:

To achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and

encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.

This Article is a form of recognition on the part of the UN that individuals have rights and these must be promoted and respected. Since the right to education is a human right, the Charter therefore recognises the rural child's right to education.

Article 2(2)

All Members, in order to ensure to all of them the rights and benefits resulting from membership, shall fulfil in good faith the obligations assumed by them in accordance with the present Charter.

Article 4(1)

Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations.

Article 13(1)

The General Assembly shall initiate studies and make recommendations for the purpose of:

- a. promoting international co-operation in the political field and encouraging the progressive development of international law and its codification;

b. promoting international co-operation in the economic, social, cultural, educational, and health fields, and assisting in the realization of human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 55

With a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, the United Nations shall promote:

1. higher standards of living, full employment, and conditions of economic and social progress and development;
2. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation; and
3. universal respect for, and observance of, human rights and fundamental freedoms for all without distinction as to race, sex, language, or religion.

Article 56

All Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55.

Article 62(2)

The Economic and Social Council *may* make recommendations for the purpose of promoting respect for, and observance of, human rights and fundamental freedoms for all. [Emphasis added].

Article 68

The Economic and Social Council shall set up commissions in economic and social fields and for the promotion of human rights, and such other commissions as may be required for the performance of its functions.

Article 1(3) is the main provision on human rights. As rights and duties are correlative. Articles 4(1), 13(1), 55, 56, 62 and 68 identify the parties responsible for the promotion of these rights. That is the UN and Member States.

First, the obligation falls on the UN in general (Article 55). Second, the Charter specifically mentions the GA (Article 13(1)) and the ECOSOC (Articles 62 and 68). With respect to Article 62, though the use of “may” places some sort volition on the part of the organ to promote the rights of individuals, the use of “shall” in Article 68 completely obliges the organ. Third, the obligation for the promotion also falls on the States Parties (Articles 2(2), 4(1) and 56). In this regard, Ghana, as a party to the Charter, is under obligation to respect these provisions.

Though Articles 1(3), 13(1 b) and 55(c) contain non-discrimination clause, the Charter does not define what is meant by “human rights and fundamental freedoms”. Again, the provisions are for the promotion of human rights in general. They do not mention the right to education specifically.

Despite the vagueness of the human rights provisions, the UN Charter has a number of important benefits. One, the Charter internationalized human rights. That is, human rights are no longer exclusive domestic concern but a subject of international one; two, the obligation of States Parties in the promotion of human rights and fundamental freedoms has given the UN the legal authority to define and codify these rights. This led to the adoption of the International Bill of Human Rights; three, the obligation to promote human rights has encouraged the creation of the UN Charter-based institutions to ensure compliance by governments. The UN Commission on Human Rights and its subsidiary bodies are examples.⁵

2.1.2 THE INTERNATIONAL BILL OF HUMAN RIGHTS

The International Bill of Human Rights consists, in addition to the human rights provisions of the UN Charter, of the UDHR, the two International Covenants on Human Rights and the Optional Protocol to the ICCPR.⁶ As stated above, the UN provisions on human rights do not define what the “human rights and fundamental freedoms” they oblige states to promote are. The UN Commission on Human Rights was therefore charged with drafting an international bill of human rights. However there was no agreement on what the “Bill” meant. While the British viewed “Bill” as an instrument of positive law and therefore binding on states, Russia was willing to support a Bill of Rights understood as a manifesto of rights, a non-binding document.⁷ The Commission decided to produce two human rights documents, one, on the basis of a manifesto listing what constitute “human rights and fundamental freedoms”. This would be known as the Declaration. Two, a legally binding instrument and this will be called a Covenant.⁸

2.1.3 THE UNIVERSAL DECLARATION OF HUMAN RIGHTS (UDHR).

The Declaration was the first international human rights instrument. It is the source of international law of human rights, embodied in the two international covenants, legally binding on majority of states, and in major international conventions on genocide, torture, racial discrimination, and the rights of the child.⁹

It was adopted by the UNGA in December 1948 and made up of thirty (30) articles. It is the first comprehensive human rights instrument to be proclaimed by a global international organisation.¹⁰ The instrument proclaims two main categories of rights: civil and political rights; and economic, social and cultural rights. A perusal of the document reveals that more articles have been allocated to civil and political rights and only a few to economic, social and cultural rights.

In defining what “human rights” and “fundamental freedoms” are, the UDHR is explicit on the right to education. Article 26 states that:

1) *Everyone* has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. [Emphasis added].

2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

3) Parents have a prior right to choose the kind of education that shall be given to their children.

This Article recognizes the right of the rural child to education by the use of the word “everyone”. Taking the meaning of “elementary” to be “basic”¹¹ then, Article 26(1) proclaims free and compulsory basic education. Article 26(2) goes on to mention the objectives of education.

Even though the UDHR is not a treaty but a UNGA resolution and therefore not having the force of law, as an applicable standard, the UDHR is seen as an authoritative interpretation of the human rights provisions of the UN Charter which obliges States Parties to promote universal respect and observance of human rights. Again, as an applicable standard of practice, the UDHR is viewed as a customary international law¹² that is binding on all states, even on those that have not accepted any relevant human right treat¹³. This therefore places obligation on States Parties, Ghana for that matter, to ensure the enjoyment of the right to education as proclaimed in the UDHR. Again, a critical look at Article 26(3) shows that the obligation does not rest on only states but on parents as well. If parents do have that right then they also have the duty to support the education of their children.

The significance of the UDHR according to Louis Henkin, are: one, it has converted natural rights into a dominant political ideology; two, it has defined human rights in an authoritative code of thirty articles of fundamental rights; and three, it has universalised human rights.¹⁴

2.1.4 THE INTERNATIONAL COVENANT(S)

As mentioned above, the UN Commission produced two documents- the Declaration, and the Covenant which is a legally binding document. The Covenant is actually the 'Covenants' because two covenants were produced. They include the ICCPR and the ICESCR and the two Optional Protocols to the ICCPR. It took eighteen (18) years for the treaties to be adopted by the UNGA and opened for signature after the production of the UDHR. and another ten (10) years to enter into force.¹⁵ These documents, as opposed to the UDHR. are treaties and therefore create legally binding obligations for States Parties.

For the purpose of this study, only one of them shall be examined because the right to education is found in the ICESCR.

2.1.5 INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS (ICESCR).

The ICESCR was adopted and opened for signature, ratification and accession by the GA resolution 2200A (xxi) on 16th December 1966 but came into force on 3rd January 1976 after thirty-five (35) states have ratified it in accordance with Article 27 of the same Covenant. It is divided into four parts and made up of thirty-one (31) articles. It contains a much longer and more comprehensive catalogue of economic, social and cultural rights than the UDHR. It does not merely list the rights but defines them and sets out the steps that should be taken to achieve their realisation.¹⁶ The main articles on education are Articles 13 and 14. According to the Committee on Economic, Social and Cultural Rights, "Article 13, the longest provision in the Covenant, is the most wide-ranging and

comprehensive article on the right to education in international human rights law.”¹⁷

Article 13(1) states that:

The States Parties to the present Covenant recognize the right of everyone to education. They agree that education shall be directed to the full development of the human personality and the sense of its dignity, and shall strengthen the respect for human rights and fundamental freedoms. They further agree that education shall enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations for the maintenance of peace.

Article 13(2)

The States Parties to the present Covenant recognize that, with a view to achieving the full realization of this right:

- (a) Primary education shall be compulsory and available free to all;

- (e) The development of a system of schools at all levels shall be actively pursued, an adequate fellowship system shall be established, and the material conditions of teaching staff shall be continuously improved.

Article 13(1) identifies the aims and objectives of education which reflect the fundamental purposes and principles of the UN as enshrined in Articles 1 and 2 of the Charter. They are also found in Article 26(2) of the UDHR. Though Article 13(2) identifies the steps that will ensure the full realisation of the right to education, only “a”

and “e” are relevant to the study. Primary education, according to the Committee, is not synonymous with basic education but a component of basic education.¹⁸ However, for the sake of this study, the two are interchangeable. This therefore means that: one, neither parents, nor guardians, nor the State are entitled to treat as optional the decision as to whether the child should have access to basic education. Two, this right must be delivered in a system of school (the basic school) with good working conditions of the educators. Three, neither the government, nor the local authorities nor the school must impose any direct or indirect cost on the child or his/her parent/guardian.

Article 14

Each State Party to the present Covenant which, at the time of becoming a Party, has not been able to secure in its metropolitan territory or other territories under its jurisdiction compulsory primary education, free of charge, undertakes, within two years, to work out and adopt a detailed plan of action for the progressive implementation, within a reasonable number of years, to be fixed in the plan, of the principle of compulsory education free of charge for all.

The Covenant, viewed critically, reveals that the language used does not place immediate obligation on States Parties to promote the rights therein. It only obliges them to take steps to realise the rights progressively according to the economic strength of the states.



Article 2(1) states:

Each State Party to the present Covenant undertakes to take steps, individually and through international assistance and co-operation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized in the present Covenant by all appropriate means, including particularly the adoption of legislative measures.

The assumption on the non-immediate obligations was resolved by the Committee on Economic, Social and Cultural Rights in its General Comment No. 3. It states that, while it acknowledges the constraints in the progressive realisation of the rights recognised in the Convention due to limited economic resources, it imposes obligations which are of immediate effect. The Committee points out two. One, the “undertaking to guarantee” the rights in the Covenant without discrimination in Article 2(2); and two, the undertaking in Article 2(1).¹⁹

To ‘undertake’ means ‘to promise’ but in legal terms it is binding. In addition the Covenant is a treaty and therefore binding on signatories. States Parties are therefore legally bound to ensure the full realization of the right to education. Ghana is therefore obliged.

Apart from the state, the Covenant recognises the role of the parent in the education of the child even though it does not explicitly oblige the parent.

Article 10(1) states:

The States Parties to the present Covenant recognize that:

1. The widest possible protection and assistance should be accorded to the family, which is the natural and fundamental group unit of society, particularly for its establishment and *while it is responsible for the care and education of dependent children....* [Emphasis added],

2.1.6 THE CONVENTION ON THE RIGHTS OF THE CHILD (CRC).

As the first legally binding international instrument which catalogues extensively, civil and political, and economic, social and cultural rights of the child,²⁰ it was adopted and opened for signature, ratification and accession by UNGA resolution 44/25 on 20th November 1989 and came into force on 2nd September, 1990. It is the most widely ratified human rights document with 193 States Parties²¹ including Ghana as the first to ratify the Convention. It sets out fifty-four (54) articles organised in three parts, and two protocols (on children in armed conflicts and on sale of children, child prostitution and child pornography). By ratifying the treaty, States Parties agree to undertake the obligations of the Convention. The Convention has four core principles which include: Non-discrimination (Article 2), Best interest of the child (Article 3), Right to survival and development (Article 6), and Respect for the views of the child (Article 12). These Articles, though related to education, the Convention explicitly devotes two articles to the right to education, Articles 28 and 29.

Article 28 states:

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

- (a) Make primary education compulsory and available free to all;
 - (d) Make educational and vocational information and guidance available and accessible to all children;
 - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

Article 29

1. States Parties agree that the education of the child shall be directed to:
- (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
 - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
 - (c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

Like the ICESCR, the CRC identifies the right of the child to education as well as sets out the steps that should be taken to achieve the fulfilment. While Article 29 identifies the aim and objectives of education, Article 28 sets out the steps.

The basic obligations in achieving this right are placed on the state and the parent. These are captured in various provisions in the Convention. Articles 2 and 4 place the obligation on the state. Article 2 obliges the state to respect all the rights in the Convention by taking appropriate measures. These measures are spelt out in Article 4. It says:

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

In addition, the use of the word “shall” in Article 28 places obligation on the state to ensure the realization of the child’s right to education.

Apart from the above, the CRC also obliges parents in the promotion of the education of their children. The following articles are the provisions:

Article 18(1)

States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

Article 27

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.
2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

These provisions, though not directly on education, the Convention recognises the responsibility of the parent towards the child. Secondly, 'Upbringing' ('the care and training that parents give their children when they are growing up'²²) and 'development' (as used in Article 27(1) and inferred from Article 29(1) of the present charter), relate to education. Taking these words in this manner, then the CRC places obligation on parents to promote the child's right to education.

2.1.7 THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS (ACHPR).

The ACHPR, sometimes referred to as the 'Banjul Charter'²³ was adopted on June 27, 1981 and entered into force on 21st October 1986. It was adopted by the OAU and has been ratified by all 53 OAU Member States.²⁴ The Charter is divided into three (3) parts and made up of sixty-eight (68) articles. The Charter has the following features: one, it proclaims not only rights but also duties explicitly stated. These duties are found in Articles 27, 28, and 29. Two, the Charter recognizes peoples' rights as well as individual rights. The individual rights are captured in Article 2 to Article 17 and the peoples' rights are articulated in Articles 19 to 24. Among the individual rights that the Charter proclaims is the right to education. Article 17(1) provides that "*every individual* shall have the right to education." [Emphasis added].

Again Article 18(3) provides for the protection of the rights of children. It states that "the State shall ensure the elimination of every discrimination against women and also *ensure the protection of the rights of the woman and the child* as stipulated in international declarations and conventions." [Emphasis added].

Putting the two together, it can rightly be said that the Charter provides for the promotion of the African child's right to education. In addition, the phrase "every individual" entitles the child in the rural area to this right.

This assertion is corroborated by the non-discrimination provision in Article 2 of the Charter, which has it that "*every individual* shall be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter *without distinction of any*

kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or other status.” [Emphasis added].

Unlike the ICESCR and the CRC, the provision on the right to education does not specifically mention primary education, and does not also state the steps to ensure the realization. However, a critical consideration of Article 1 (quoted below) reveals that the steps are mentioned. Again, the mention of the child in Article 18 resolves the issue as majority of children are in the primary school.

The promotion of this right is placed on States Parties to the Charter. The basic obligation for the realisation of the rural child’s right to education is spelled out in Article

1. It states that:

The Member States of the Organization of African Unity Parties to the present Charter shall recognize the rights, duties and freedoms enshrined in this Chapter and shall undertake to adopt legislative or other measures to give effect to them.

This provision is complemented by Articles 25, 26, and 62.

Article 25

States parties to the present Charter shall have the duty to promote and ensure through teaching, education and publication, the respect of the rights and freedoms contained in the present Charter and to see to it that these freedoms and rights as well as corresponding obligations and duties are understood.

Article 26

States parties to the present Charter shall have the duty to guarantee the independence of the Courts and shall allow the establishment and improvement of appropriate national institutions entrusted with the promotion and protection of the rights and freedoms guaranteed by the present Charter.

Article 62

Each state party shall undertake to submit every two years, from the date the present Charter comes into force, a report on the legislative or other measures taken with a view to giving effect to the rights and freedoms recognized and guaranteed by the present Charter.

These provisions therefore oblige the state (Ghana) to promote the realization of the right to education of all including the rural child.

2.1.8. AFRICAN CHARTER ON THE RIGHTS AND WELFARE OF THE CHILD (ACRWC).

One of the regional conventions whose adoption was stimulated by the CRC is the ACRWC⁵ It came into force on 29th November, 1999, nine years after the coming into force of the CRC. It was adopted by the OAU and has been ratified by all member states. It bears resemblance to the CRC as most of the provisions contained in the ACRWC are more or less photocopies of the provisions in the CRC with only few modifications. For instance, the core principles in the CRC are also captured by the present Charter. These

are contained in Articles 2, 4, 5, and 7 respectively. The Charter is grouped into two parts but four chapters, with a total number of forty-eight (48) articles. Like the ACHPR, it catalogues not only rights but duties as well. Article 31 explicitly talks about the duties of the child. This provision differentiates the African Human Rights Charter on the rights of the child from the major UN Human Rights Charter on the child.

Among the rights entitled to the Child in this Charter is the right to education. Article 11(1) states that “every child shall have the right to an education.”

The use of the article ‘an’ in section (1) makes the meaning of education ambiguous. However section 2 of the same Article clears the ambiguity. The aims of education of the child as stated in the Article can only be through formal education. It states:

2. The education of the child shall be directed to:

(a) the promotion and development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) fostering respect for human rights and fundamental freedoms with particular reference to those set out in the provisions of various African instruments on human and peoples' rights and international human rights declarations and conventions;

(c) the preservation and strengthening of positive African morals, traditional values and cultures;

(d) the preparation of the child for responsible life in a free society, in the spirit of understanding tolerance, dialogue, mutual respect and friendship among all peoples ethnic, tribal and religious groups;

(e) the preservation of national independence and territorial integrity;

(f) the promotion and achievements of African Unity and Solidarity;

(g) the development of respect for the environment and natural resources;

(h) the promotion of the child's understanding of primary health care.

Like the CRC and the ICESCR, the Charter states the steps that must be followed to ensure the realization of the child's right to education. Section 3(a, d and e) state:

3. States Parties to the present Charter shall take all appropriate measures with a view to achieving the full realization of this right and shall in particular:

(a) provide free and compulsory basic education:

(d) take measures to encourage regular attendance at schools and the reduction of drop-out rates;

(e) take special measures in respect of female, gifted and *disach'antaged children*, to ensure equal access to education for all sections of the community.(Emphasis added).

The basic obligations of States Parties and other stake-holders for the realization of this right are set in the following articles.

Article 1(1)

Member States of the Organization of African Unity Parties to the present Charter shall recognize the rights, freedoms and duties enshrined in this Charter and shall undertake to the necessary steps, in accordance with their Constitutional processes and with the provisions of the present Charter, to adopt such legislative or other measures as may be necessary to give effect to the provisions of this Charter.

This Article obliges Ghana to promote the right of the child to education.

Article 20

Parents or other persons responsible for the child shall have the primary responsibility of the *upbringing* and *development* the child and shall have the duty: [Emphasis added].

(a) to ensure that the best interests of the child are their basic concern at all times-

(b) to secure, within their abilities and financial capacities, conditions of living necessary to the child's *development*-, [Emphasis added].

This provision places duty on the parent to educate the child. This is captured in the words 'upbringing' and 'development' which are related to education as explained above.

Article 4 places the obligation for the realization of the right to education on the state.

the parent, and the educator, though not explicitly. It enjoins authorities to consider the best interest of the child when they take actions that have effect on the child. These stake-

holders are authorities when it comes to actions concerning the right of the child to education.

This is supported by paragraph 8 of the preamble which has it that “considering that the promotion and protection of the rights and welfare of the child also implies the performance of duties on the part of *everyone*.” [Emphasis added]. Everyone includes the state, the parent as well as the educator.

2.2 DOMESTIC/METROPOLITAN LEGAL FRAMEWORK FOR THE PROMOTION OF THE RIGHT OF THE CHILD TO EDUCATION.

The above section examined the international legal framework for the promotion of the child's right to education. The provisions in the international documents become effective after they have been domesticated. To show commitment to the international provisions on the right of the child to education, the state of Ghana has taken steps to domesticate this right. These steps are found in the Constitution of Ghana (1992), the Children's Act (1998), and the Education Act (2008). These documents, like the international ones, legally place obligation on the stake-holders to ensure the realization of the right to education. This section therefore looks at the domestic legal framework.

2.2.1 THE CONSTITUTION OF GHANA (1992)

It came into force on 7th January, 1993 after it has been gazetted on 15th May, 1992. It is grouped into twenty-six (26) chapters and contains two hundred and ninety-nine (299) articles. The Constitution, like the international documents examined, is a human rights

document. The preamble gives credence to this statement. A critical perusal shows that the Constitution was adopted and enacted for the purpose of protecting and preserving the fundamental human rights and freedoms of the people of Ghana. This is because almost every line in the preamble contains at least a word that has human rights connotation.

Apart from the preamble and other human rights provisions that are scattered in the Constitution, there is a whole chapter specifically dedicated to fundamental human rights and freedoms. The Constitution spells out civil and political rights, as well as economic, social and cultural rights. It also recognizes the rights of the vulnerable such as women, disabled, the sick and the child. The Constitution, like the ACHPR and the ACRWC, catalogues both rights and duties. For duties, Article 41 under ‘the Directive Principle of State Policy’ captures that. Among the rights espoused by the Constitution is the right to education.

Article 25(1) states:

All persons shall have the right to equal educational opportunities and facilities and with the view to achieving the full realization of that right -

a) basic education shall be free, compulsory and available to *all*; [Emphasis added].

e) the development of a system of schools with adequate facilities at *all levels* shall be actively pursued. [Emphasis added].

The Constitution, like the international instruments, does not just list the right to education; it gives measures for its realization. It is specific on basic education. Again.

the 'all' as used in paragraph (a) of clause (1) implies that the rural child is also entitled to the right in this paragraph. Lastly, 'all levels' as in paragraph (e) of the same clause implies that the rural basic school is also entitled to adequate facilities for the education of the rural child.

This is supported by the non-discrimination provisions in the following articles.

Article 12(2)

Every person in Ghana, whatever his race, place of origin, political opinion, colour, religion, creed, or gender shall be entitled to the fundamental human rights and freedoms of the individual contained in this Chapter....

Article 17(2)

A person shall not be discriminated against on grounds of gender, race, colour, ethnic origin, creed or social or economic status.

Article 28(4)

No child shall be deprived by any other person of medical treatment, *education* or any other social or economic benefit by reason only of religious or other beliefs.
[Emphasis added].

The obligation for the promotion of the right to education is placed on the state. This is clearly stated in Article 12(1) that:

The fundamental human rights and freedoms enshrined in this Chapter shall be respected and upheld by the *Executive, Legislature and Judiciary and all other organs of government* and its agencies and, where applicable to them, by all natural and legal persons in Ghana, and shall be enforceable by the Courts as provided for in this Constitution. [Emphasis added].

This is complemented by Article 34(2) and Article 38(1) and (2) under Chapter Six.

Article 34(2)

The President shall report to parliament at least once a year all the steps taken to ensure the realisation of the policy objectives contained in this Chapter; and, in particular, the realisation of basic human rights, a healthy economy, the right to work, the right to good health care and the right to education.

Article 38

- (1) The state shall provide educational facilities at all levels in all regions of Ghana, and shall, to the greatest extent feasible, make those facilities available to all citizens.
- (2) The Government shall within two years after parliament first meets after the coming into force of this constitution, draw up a programme for implementation within the following ten years, for the provision of free, compulsory and universal basic education.

Besides the state, the parent does have an obligation. The Constitution, in Article 28(1 c) recognizes this and therefore mandates parliament to enact laws to ensure that parents undertake their natural obligation of care, maintenance and upbringing of their children.

2.2.2 THE CHILDREN'S ACT, 1998

In fulfilment of Article 4 of the CRC and to give meaning to the rights of the child in Article 28 of the 1992 Constitution of Ghana, the Parliament of Ghana enacted an act. "An act to reform and consolidate the law relating to children, to provide for the rights of the child, maintenance and adoption, regulate child labour and apprenticeship, for ancillary matters concerning children generally and to provide for related matters."²⁶ This act is known as the Children's Act, (Act 560) 1998. It received Presidential Assent on 30th December 1998 but was gazetted on 5th February, 1999. The Act is group into six parts and made up of one-hundred and twenty-six (126) sections.

The Act catalogues both civil and political rights, and economic, social and cultural rights. Though the parent has major role to play in the realization of the rights therein, the state and other persons (in this case the educator) have been obliged either explicitly or implicitly to ensure the realization of these rights. For example the use of the phrase 'no person' in the Act places obligation on everybody to protect the right it relates to. Like the other documents, the Children's Act espouses the right of the child to education. Section 8(1) states:

No person shall deprive a child access to *education*, immunisation, adequate diet, clothing, shelter, medical attention or any other thing required for his development.

[Emphasis added].

This right to education is not limited to only a section of the children in the state but to be enjoyed by all children including the rural child. This is captured in the non-discrimination clause. Section 3 which states that:-

No person shall discriminate against a child on the grounds of gender, race, age, religion, disability, health status, custom, ethnic origin, *rural or urban background*, birth or other status, socio-economic status or because the child is a refugee.

[Emphasis added].

The act does well by clarifying 'education' as basic education in Section 47(2). It however did not make justice to the meaning of the right to education according to the study. It only mentioned explicitly, access to education while no mention is made of quality education. But since access to education is the root to quality education, if the stake-holders should adhere to the obligations imposed on them for the realization of the objectives of basic education then quality education aspect of the right to education will be enjoyed by the child. Quality education can therefore be subsumed under access to education in Section 8 of the Act under examination.

Again, unlike the 1992 Constitution and other documents discussed above, the Act does not give the measures for the realization of the right to education. The silence may

be understood in the sense that the mother document (the Constitution) has made justice to that.

The obligation for the realization of the right to education in the Act is placed, firstly, on the parent. Section 6(2) has it that "every child has the right to...education...from his parents" and paragraph 3b states that "every parent has rights and *responsibilities* whether imposed by law or otherwise towards his child which include the duty to provide good guidance, care, assistance and *maintenance* for the child and assurance *of the child's survival and development.*" [Emphasis added].

Though Section 6(3b) does not mention education, the responsibility for the maintenance of the child and development of the child include his/her education. This is clarified in Section 47 (1) which states that "a parent or any other person who is legally liable to maintain a child or contribute towards the maintenance of the child is under a duty to supply the necessary of... education ... for the child."

Secondly, the Act places obligation on the state. Section 16 obliges the state represented by the District Assembly to promote the right to education. It states:

- 1) A District Assembly shall protect the welfare and promote the rights of children within its area of authority and shall ensure that within the district, governmental agencies liaise with each other in matters concerning children.
- 2) The Social Welfare and Community Development Department of a District Assembly ... shall investigate cases of contravention of children's rights.

Thirdly the educator is also placed under obligation. The ‘No person’ clause in Section 8 imposes this obligation.

2.2.3 THE EDUCATION ACT, 2008

Like the Children’s Act, in pursuance of constitutional provisions of the 1992 Constitution, the Parliament of Ghana enacted an act “to produce well balanced individuals with the requisite knowledge, skills, values, aptitudes and attitudes to become functional and productive citizens for the total development and the democratic advancement of the nation and for related matters.” The Act received Presidential Assent on 6th January, 2009 and gazette notification was on 9th January, 2009. It is made up of thirty-one (31) sections. The Act is specifically centred on the right to education and how it can be made accessible as well as qualitative to realize the objectives stated in the preamble.

The Act, in Section 1(1), recognizes three levels of education beginning with basic education through secondary level to tertiary level. Section 1(2) breaks down the basic education into two years of kindergarten education, six years of primary education, and three years of junior high school education.

On the right to basic education Section 2 is very clear. It states:

- 1) A child who has attained school going age shall, at the basic level, attend a course of instruction as laid down by the minister in a school recognised for that purpose by the Minister.

- 2) Education at the basic level is free and compulsory.

To achieve the objectives stated in the preamble, education must begin from the basic level. As mentioned above, rights are correlative to duties; the Act therefore obliges the state, the parent, and the educator to ensure the realization of the right to basic education.

Section 22 states:

- 1) The District Assembly shall, for its area of authority and as far as its functions extend, contribute to the total development of the community by ensuring that efficient education throughout the basic, second cycle and functional literacy education levels including non-formal education is available to meet the needs of the population of its area.
- 2) The District Assembly shall, in the prescribed manner, and with financial assistance provided by the Government,
 - a) build, equip and maintain public schools in the district,
 - b) establish public schools that are in the opinion of the district director of education required in the district in consultation with the district chief executive, and
 - c) perform any other functions conferred on the district education oversight committee by the Act.

This is complemented by Section 2(3) which has it that “a District Assembly shall subject to section 3 provide the necessary infrastructural needs and any other facilities for the education of the population in the area of its authority.”

These provisions oblige the state represented by the District Assembly to provide school buildings, furniture, textbooks, toilets, urinals, libraries, and teaching learning material.

The state is obliged not only in the provision of facilities but also in the area of supervision to ensure quality standards. The Act, under Section 7, sets up a National Inspectorate Board appointed by the President of Ghana to carry out this obligation. The obligation is thus found under Section 8. It states:

- 1) The functions of the National Inspectorate Board are,
 - a) to undertake the inspection of schools.
 - b) To evaluate, on a periodic basis, the *first* and second cycle institutions, and
 - c) To set and enforce standards to be observed at the *basic* and second cycle levels in both *public* and private educational institutions. [Emphasis added].
- 2) For the purposes of paragraph(c) of subsection(1), the board shall set up inspection panels to provide an independent external evaluation of the quality and standards in educational institutions by focusing on
 - a) the quality of teaching and learning provided by the educational institution,
 - b) the educational standards achieved by the educational institution,

e) the facilities available in the educational institution.

The parent is also obliged to ensure the realization by sending the child to the school that the state has provided. Section 2 (subsections 4 and 5) states:

4) Where a child does not attend a course of instruction in compliance with subsection (1) the parent shall, in the first instance, appear before the social welfare committee of the district assembly for appropriate action.

5) A parent who fails to comply with the appropriate action agreed on with the social welfare committee, commits an offence, and is liable on conviction by a District Court,...

To complement the above, Section 28(1) empowers the parent to ensure quality teaching and learning in schools. It states that “a parent aggrieved with the inferior standards of teaching or learning in a public or private educational institution... may appeal to the... district education oversight committee.” This provision sounds more like a right, but inherently, it is a command that places a duty on the parent to ensure the realisation of the child’s right to education.

On the part of the educator, the Act places the obligation for the realization of the right to basic education, on the District Directorate of Education. Sections 22(4) and 8(4) state:

The *District Education Directorate* in consultation with the appropriate religious educational units are responsible for the efficient delivery of education services to

meet the peculiar needs of the areas within the district and in accordance with the educational policy directives as determined by the minister. [Emphasis added].

Section 8(4) states:

The directors and supervisors within the regional and district directorates of education shall undertake, in accordance with the directives or guidelines of the board, routine inspection of schools to ensure the maintenance of standards of performance in teaching and learning.

2.3 CONCLUSION

This chapter tried to examine the legal basis for the promotion of the rural child's right to education. All the legal documents examined impose legal duty on the state (the Government of Ghana) to ensure the realization of the right. All the domestic documents also oblige the parent in this direction while some of the international documents also recognize the role of the parent in this direction. The Education Act explicitly obliges the educator while the ACRWC and the Children's Act do that implicitly. Education, as a human right is entitled to the rural child in Akuapem South Municipality. The documents explicitly or implicitly compel at least one of the stake-holders on education to ensure the realization of this right.

NOTES

¹ Thomas Buergenthal, Dinah Shelton, & David P. Stewart, International Human Rights in a Nutshell. 3rd Ed, (West Group. 2002), p. 27; Louis Henkin "Human Rights: Ideology and Aspirations. Reality and Prospect" in Samantha Power & Graham Allison, eds., Realizing Human Rights: Moving from Inspiration to Impact. (New York: St Martin's, 2000), p. 4.

² Thomas Buergenthal et. al., Op. cit. pp. 28-29.

³ Carl Wellman, The Proliferation of Rights: Moral Progress or Empty Rhetoric?, (Oxford: Westview Press, 1999), p. 29.

⁴ Thomas Buergenthal et. al.. Op. cit p. 289.

⁵ Ibid, pp. 31-33.

⁶ Ibid, p. 34; P. Chandra, International Politics. 4th Ed., (New Delhi: Vikas Publication House PVT LTD. 1998), p. 207.

⁷ Maurice Cranston, What are Human Rights. (London: The Bodley Head, 1973), pp. 52-53; Thomas Buergenthal et. al., Op. cit. p. 34.

* Maurice Cranston, Op. cit pp. 52-53.

⁹ Louis Henkin, Op. cit p. 12.

¹⁰ Thomas Buergenthal et. al., Op. cit. p. 35.

¹¹ Longman Dictionary of Contemporary English, New Ed., (Longman Group, 1995).

¹² Thomas Buergenthal et. al., Op. cit pp. 39-42.

¹³ Louis Henkin, Op. cit. p. 12.

¹⁴ Ibid, p. 11.

¹⁵ Thomas Buergenthal et. al., Op. cit. p. 35; Louis Henkin, Op. cit. p. 13.

¹⁶ Ibid, pp. 64-65.

¹⁷ Report of The Committee on Economic, Social and Cultural Rights (Twenty-First Session 1999), General Comment No. 13, Implementation of the International Covenant

on Economic, Social and Cultural Rights, Right to Education (Art. 13 of The Covenant), Document E/C. 12/1999/10, 08/12/1999,(para 2).

¹⁸ Ibid, (para 9).

¹⁹ Report of The Committee on Economic, Social and Cultural Rights (Fifth Session 1990), General Comment No. 3, The Nature of States Parties Obligations (Art. 2, para, 1 of the Covenant), 14/12/90, (paras 1-2).

²⁰ Thomas Buergenthal et. al.. Op. cit. p. 35; Louis Henkin, Op. cit. pp. 92-93.

²¹ Office of The United Nations High Commissioner For Human Rights, Legislative History of The Convention on The Rights of The Child, Volume 1, (New York: United Nations. 2007), p. iii.

²² Longman Dictionary of Contemporary English, New Ed., (Longman Group, 1995).

²³ Thomas Buergenthal et. al., Op. cit. p. 282.

²⁴ Ibid.

²⁵ Office of The United Nations High Commissioner For Human Rights, Legislative History of The Convention on The Rights of The Child, Volume 1, (New York: United Nations, 2007). p. xiii.

²⁶ Republic of Ghana. Preamble, The Children's Act, 1998.

CHAPTER THREE

PROFILE OF AKUAPEM SOUTH MUNICIPALITY AND THE IMPLEMENTATION OF PROGRAMMES TO PROMOTE THE CHILD'S RIGHT TO EDUCATION.

3.0 INTRODUCTION

In an attempt to promote the right of the child to education, the government of Ghana has pursued various measures in consonance with provisions of both international and domestic legal instruments. These measures have been implemented in Akuapem South Municipality (where the study is located). This chapter looks at the programmes and strategies initiated by the government and their implementation in Akuapem South Municipality. The chapter is therefore divided into two parts. The first part looks at the profile of the municipality. These include the geographical, economic and the socio-cultural aspect of the area. The second part examines the various programmes and strategies that have been initiated and implemented by the government of Ghana to promote the child's right to education in the municipality. These include the Capitation (School Fees Abolition), the Ghana School Feeding Programme (GSFP) and the Early Childhood Education (Pre-School Education).

3.1 PROFILE OF AKUAPEM SOUTH MUNICIPALITY.

3.1.1 LEGAL BASIS

One of the most important innovations taken to better the socio-economic and political situation of Ghana was the decentralisation policy which created the District Assembly as the grassroots decision-making authority. The District Assembly concept

was created in 1988 by the PNDC Law 207, and consolidated by the 1992 Constitution of Ghana (Chapter 20) and the Local Government Act 1993 (Act 462). However, Akuapem South District Assembly was established by Legislative Instrument (LI) 1487, 1989¹, to manage the district. It is one of the twenty-one (21) districts in the Eastern Region. Akuapem South became a municipality in 2007.

3.1.2 LOCATION AND SIZE.

Akuapem South Municipality lies at the south-eastern part of the Eastern Region, covering a land area of about 503 square kilometres. It lies between latitude 5.45' and 5.58' North of the equator and longitude 0.07' and 0.27' West of the Greenwich Meridian. It is approximately 37km from Accra². In terms of special interaction, it is bordered to the south by Ga West and Ga East Municipalities both in the Greater Accra Region, to the north-east by Akuapem North District, to the north-west by Suhum-Krabo-Coaltar Municipality and to the west by West Akim Municipality. In terms of distance, the municipality is nearer to Accra than the capital of the Eastern Region, Koforidua. The proximity of the municipality to Accra - Tema conurbation is a potential for development. The municipal capital, Nsawam, is a gap town³ along the Accra - Kumasi highway. There is a conurbation between Nsawam and Adoagyiri (the second largest settlement in the municipality).

3.1.3 RELIEF AND DRAINAGE

Topographically, the municipality comprises the Densu Plain, the Pompon Narrows and the Akuapem-Togo Ranges⁴, which rises over 1000ft above sea-level at Aburi.⁵ The

Densu River, which is about 115.8 kilometres and takes its source from the Atiwa Mountains near Kibi⁶ with its tributaries such as the Ntuo, Pompon, Ahumfra and Dobro,⁷ drains the municipality. It drains into the sea through Weija in the Greater Accra Region. The Weija Dam which supplies potable water to parts of the Central Region (Kasoa) and western part of Accra for both domestic and commercial use is therefore on the Densu River. The Densu River also separates Nsawam from Adoagyiri.

3.1.4 VEGETATION AND CLIMATE

The municipality is covered by two main vegetation types, the moist semi-deciduous forest covering about 90% of the municipality and coastal savannah grassland which covers only 10%. The Weather condition in the municipality is generally cool because of the many trees that can be found in the area. In addition, the Akuapem-Togo Ranges on the east of the municipality adds to the coolness. The municipality enjoys a double maxima rainfall with an average annual recording of between 125 centimetres and 200 centimetres. The first rainy season is from May to June and the second in September and October. The temperature of the municipality ranges between 26°C the lowest and 30°C the highest⁸.

3.1.5 GEOLOGY AND SOILS

The geology of the municipality is mainly sedimentary rocks forming the Akuapem-Togo Ranges. This metamorphoses into quartzite's, schist, shale and philate. This therefore supports quarrying activities at the foot of the ridge, supplying stones for construction in the municipality as well as Accra. There are five main types of soils.

These are Adawso-Bawjiase-Ofm Compound Association, which supports the cultivation of maize, cassava, yam and pineapple; Ayensu-Chichiwere Association, which is good for the production of rice, vegetables and sugar-cane; Fete and Nyanoa-Opimo Association, which is suitable for forestry; Yaya Pimpinsu-Befua Association, used for the cultivation of rice, sugar-cane, coffee, vegetables, cassava, maize, banana, ginger, shallots and oil palm; and Dewasi Wayo Association⁹.

3.1.6 DEMOGRAPHY

Going by the 2000 census, Akuapem South Municipality had a population of 116,344 representing 5.5% of the total population of the Eastern Region, but 2006 estimate placed the population of the area at 124,809 with a population growth rate estimated at 1.8%. The high population density can be attributed to the commercial nature of Nsawam and Adoagyiri. The urban-rural split is 1:1.2, indicating that for every ten (10) people in the urban areas, there are twelve (12) people in the rural areas. In percentage terms, about 45.5% of the population is in the urban settlements while 54.5% in the rural settlements.¹⁰ Most of these rural settlements are devoid of basic social facilities and services. With regard to gender split, the sex ratio for the municipality is 9.71:1, indicating that, for every nine-hundred and seventy-one (971) males there are one-thousand females".

3.1.7 ETHNICITY AND RELIGION

Though the municipality is predominantly an Akan one. migration has resulted in heterogeneity in the population. The population of the municipality therefore consists of the following ethnic groups including Akans, Ewes, Ga-Adamgbes and other tribes. In

regard to religion, the population is dominated by Christians. Islamic and traditional religions are also present. The tables below show the concentration of the various ethnic groups and religions in the population of the municipality.

Table 3.1

DISRTIBUTION OF ETHNIC GROUPS IN AKUAPEM SOUTH MUNICIPALITY

Ethnic Group	Percentage (%)
Akan	80
Akuapem	63
Other than Akuapem	17
Ewe	9
Ga-Adamgbe	7
Others	4
Total	100

Source: Medium-Term District Development Plan For Akuapem South Municipality
(2006-2009), September, 2006.

Table 3.2

DISRTIBUTION OF RELIGIONS IN AKUAPEM SOUTH MUNICIPALITY

Religion	Male %	Female %	Both Sexes %
Christianity	81.4	85.9	83.6

Islam	5.9	4.8	5.3
Traditional Religion	2.7	2.1	2.4
No Religion	9.3	6.5	7.8
Other	0.7	0.8	0.8

Source: Population and Housing Census Report, 2000

3.1.8 HUMAN SETTLEMENT

There are a number of settlements in the municipality. Nsawam is the only first order settlement while Adoagyiri and Aburi can be classified as second order settlements. The table below shows the population of twenty (20) major settlements in the municipality.

Table 3.3

MAJOR SETTLEMENTS OF THE MUNICIPALITY AND THEIR AVAILABLE FACILITIES.

NO	SETTLEMENT	POPULATION	FACILITIES AVAILABLE
1	Nsawam	29,986	post office. communication services, hospital, clinics (both public and private), basic and second cycle schools(both public and private), police station, banks, hotels/guest houses, pipe borne

			water,
2	Adoagyiri	13,058	Post office, hospital(private), clinics, basic and second cycle schools, communication services, bank, pipe bome water
3	Aburi	10,071	Post office, clinic, communication services, basic and second cycle and tertiary institutions, police station, bank
4	Pakro	2,580	Basic and second cycle schools (public and private), health centre
5	Pokrom	2181	Basic school, health centre
6	Fotobi	2008	Basic schools(public and private), radio station, communication service
7	Kitase	1804	Basic school(public and private), clinic,
8	Ankwa Dobro	1632	Basic school(public and private)
9	Sakyikrom	1509	Basic school, communication service
10	Ahwerase (Aburi)	1446	Basic school, communication services

11	Berekuso	1391	Basic school, CHPS
12	Adamorobe	1356	Basic school
13	Konkonuru	1167	Basic school
14	Nsakyee	1160	Basic school
15	Owuraku	1010	Basic school
16	Amanfro	957	Basic school
17	Ntoaso	936	Basic school
18	Darmang	933	Basic school
19	Anoff	902	Basic school
20	Ahwerease	865	

Source: 2000 Population and Housing Census; Field Work.

According to the Ghana Statistical Service, the rural urban classification of localities is based on population. A population size of five thousand and over is urban and a population size of less than five thousand is classified as rural.¹² Going by this definition, then, the above table indicates that Nsawam, Adoagyiri and Aburi could be classified as urban areas. The rest of the settlements are rural. This therefore means that there are more rural areas in the municipality than urban. These rural communities depend on the urban ones for some of the best services. Interestingly, the pattern of human settlement is to a great extent influenced by the road network. The three urban centres are along two major highways. Nsawam and Adoagyiri are located on the Accra-Kumasi highway while Aburi is on the Accra-Mamfe-Koforidua highway. Most of the rural settlements are dotted along the arterials to Nsawam.



The municipality is privileged to have its capital on the main Accra-Kumasi highway. Though Vodafone, MTN, Kasapa, Tigo and Zain are accessible in the municipality especially in the urban areas, most of the networks are not easily accessible in most of the rural communities. The quality of reception leaves a lot to be desired. Apart from telephone services, the municipality can boast of an uncountable number of internet cafes sited in the three urban centres and an FM Station (FAWE FM) at Fotobi.

The municipality plays an important role in relation to the security of the state. At the mention of Nsawam the one security infrastructure that comes to mind is the Nsawam Prison. The only Medium Security Prison in the country is located in the municipality. Akuapem South Municipality therefore confines more of the state's criminals so that the law-abiding population can enjoy some peace and go about their duties freely to bring about national development.

3.1.9 ROAD NETWORK

There are various roads linking the communities to Nsawam. There is the Nsawam-Aburi corridor, Nsawam-Pakro/Dago corridor, Nsawam-Adeiso corridor with a branch to Saykikrom and Akraman and others. The Accra-Kumasi highway through the municipality stretching from Ankwa Dobro to Oblegima is a first class road. Another first class road is the Accra-Mamfe-Koforidua road on the outskirts of Aburi. The Nsawam-Aburi corridor is tarred to Amanfro. The Nsawam-Pakro road with its branch to Dago and other feeder roads in the municipality are now under construction by Big Aidoo Construction Ltd. These projects fall under the Millennium Challenge Account Programme The construction started in October, 2009 and expected to be completed by

August, 2011. The roads in the three urban areas are not the best. Adoagyiri and Aburi have most of their roads tarred but they are not without flaws. Nsawam being the municipal capital, one would have expected better roads than those in the other two areas. However, the direct opposite is observed. Most of the roads are untarred. According to the 2003 Annual Report of the GPRS, roads do have impact on poverty and poor regions tend to have poor roads¹³. Going by this statement and with the nature of the roads in the municipality, then Akuapem South Municipality is poor. The municipality however has great potential for development due to its proximity Accra-Tema conurbation and the presence of interesting tourist attraction sites.

3.1.10 OCCUPATIONAL DISTRIBUTION

The labour force is dominated by the agricultural sector. Some of the population engage in commercial and industrial activities. Service provision is an occupation that is gaining grounds gradually. Some of the industries include the Nsawam Cannery Limited and Blue Skies Company Limited, a free zone enterprise which specializes in the export of chopped fresh fruits is another industry.¹⁴

Agriculture is the major economic activity. Farmers engage in both animal farming and crop production. Though subsistence farming is the commonly practised system, some major commercial farmers exist. They include Koranco Farms, Combine Farms, Greentex, Green Span, Astek, Buella & Rose Farms, and Baamat.¹⁵ Commerce takes the form of sales of various items. However, the most notable commercial activity in the municipality is the bakery (bread) business located at Nsawam and Adoagyiri. This is due to the location of these towns on the Accra-Kumasi road. This trade is however under

threat with the construction of the dual-carriage Accra-Kumasi road away from Nsawam and Adoagyiri. The socio-economic survey rated the various occupations as follows.

Table 3.4

SECTORAL DISTRIBUTION OF OCCUPATION AS AT 2002

Sector	Percentage (%)
Agriculture	37
Commerce	28
Service	20
Industry	15
Total	100

Source: Socio-economic Survey (2002)

3.1.11 TOURIST ATTRACTION

The municipality can boast of a number of tourist attraction sites. Notable among them is the Aburi Botanical Gardens which was established in 1890¹⁶. This Gardens harbour rare plants which are of aesthetic and scientific importance. The Akuapem Ridge which forms part of the Akuapem-Togo Range itself is a sight to behold. The Odwira festival celebrated in October attracts a lot of people to Aburi both Ghanaians and foreigners.

There are also some natural formations in the municipality which when developed could help the areas to develop. There are two waterfalls in the municipality, one at

Mensaman near Nsawam and Baode at Nsakyé. There is also “Oboguanteng”, a natural rock formation designed in the form of a sheep. It is believed to be the ancestral home of the people of Aburi. The “Adade Yaw So” Cave is another. It is a cave which could shelter about hundred people at a time. The “Oboadakaso” Grove is another natural formation. It is a four naturally arranged coffin-shaped rock lying on one another. A natural bridge can also be found in the municipality at Pepawani. This bridge is used by both humans and vehicle. The municipality also boasts of the a shrine at Berekuso where the parents of Nana Osei Tutu, the founder of the Ashanti Kingdom, sought the blessings of the gods before giving birth to the king.¹⁷

3.1.12 GOVERNMENT AGENCIES

The municipality also enjoys the services of a number of agencies. These include the Judicial Service, Ghana Police Service, Ghana National Fire Service, Ghana Postal Service, Ghana Telecom Company, Ghana Water Company, Prisons Service, Electoral Commission, Non-formal Education Division, National Commission on Civic Education (NCCE), Land Valuation Board, Stool Lands, Centre for National Culture. Commission on Human Rights and Administrative Justice (CHRAJ), Audit Service, National Youth Council¹⁸ Electricity Company of Ghana (ECG), and Internal Revenue Service.

3.1.13 TOWN AND AREA COUNCILS

Administratively and for the purpose development, the municipality is divided into seven (7) Area Councils, and one-hundred and twenty-nine (129) Unit Committees. The area councils include Nsawam Urban Council, Adoagyiri Urban Council, Nkyenenkyene

Area Council, Obodan/Fotobi Area Council, Aburi Urban Council, Dago/Anamenampa Area Council, and Pakro-Adjinase Area Council.¹⁹

3.1.14 HUMAN RESOURCE DEVELOPMENT

a) Health Care

The municipality is endowed with a number of health institutions of various levels. The only municipal hospital is located at Nsawam. There are a number of other health facilities including Clinics, Health Centres, Reproductive and Child Health (RCH) Centres and Community Based Health Planning Services (CHPS). The private sector is also active in the delivery of health service. There are four private health institutions: one maternity home, one hospital and two clinics. The table below shows the categories of the health institutions in the municipality.

Table 3.5

CATEGORIES OF HEALTH INSTITUTIONS AND THEIR LOCATIONS IN THE MUNICIPALITY

Type of Facility	Number	Location
Municipal Hospital	1	Nsawam
Private Hospital	2	Adoagyiri, Nsawam
Clinic	3	Aburi, Adoagyiri, Nsawam.
Health Centre	2	Pokrom/Nsaba, Pakro
RCH Centres	5	Aburi, Adoagyiri, Djankrom. Kitase, Nsawam,
CHPS Centres	6	Berekuso, Chinto, Duayeden, Oblegima. Oboadaka. Obotweri,

Orthopaedic Centres	1	Adoagyiri
Private Maternity Home	1	Nsawam
Total	22	

Source: Ghana Health Service, Nsawam.

b) Education

Unlocking the potentials of the municipality, the human resource needs to be developed to make optimum use of the natural resources. This development can be possible through education - the bedrock of tackling the problem of poverty both financial and of ideas. The municipality is therefore blessed with a number of educational institutions ranging from kindergarten to tertiary (both public and private) for this purpose. The table below shows the number of schools in the municipality.

Table 3.6

NUMBER OF EDUCATIONAL FACILITIES IN AKUAPEM SOUTH
MUNICIPALITY

Type of School	Public	Private	Total
Kindergarten	73	24	97
Primary	84	24	108
Junior High	56	16	72
Senior High	5	3	8
Vocational/Business Institution	•	3	3

Special School	1	-	1
Tertiary Institution(T.T. Col)	1	-	1
Total	220	70	290

Source: GES. Nsawam.

From the table 3.6. there are two-hundred and thirteen (213) public basic schools. The total enrolment in these schools according to the summary of enrolment for 2009/2010 academic year is 32,235.²⁰ This indicates that the government, through the Municipal Assembly is the major provider of basic education service. Out of this number, seventy-six (76), all in rural areas have been classified as deprived schools.²¹ The private sector though provides only about a quarter of the service in the municipality, its contribution is massive. It has monopolised the provision of specialized vocational/business education. In terms of quality in the area of basic education, the private sector is overwhelming. At least seventy (70) percent of the private J.H.S. registered for the B.E.C.E. obtains a high percentage passes" which is indicative of the provision of quality education compared to the public schools. The table below gives a summary of the performance of private and public basic schools at the B.E.C.E.

Table 3.7

B.E.C.E. PERFORMANCE OF PRIVATE AND PUBLIC BASIC SCHOOLS IN
AKUAPEM SOUTH MUNICIPALITY.

Year	Private			Public		
	2007	2008	2009	2007	2008	2009
Total Number of Schools Registered	10	11	15	48	49	51
Least Percentage (%) Pass Obtained	72.3	75.0	56.0	50.0	52.2	57.1
Number of Schools Passed	7	9	13	22	26	25
Percentage (%) of school	70.0	81.8	86.7	45.8	53.1	49.0
Number of Schools Obtaining Less Than 50%	3	2	2	26	23	26
Percentage (%) of Schools	30.0	18.2	13.3	54.2	46.9	51.0

Source: GES-Nsawam, B.E.C.E. Results Analysis, 2007, 2008 and 2009.

Even though the least percentage pass obtained by the public sector in 2009 was higher than that of the private sector, one major problem faced by the public sector at the basic level is the delivery of quality education especially in the rural areas. More of the public schools obtain less than fifty percent (50%) pass in the B.E.C.E. It is in view of such problem that the government of Ghana has initiated and implemented various programmes to promote the right to quality education.

3.2 THE IMPLEMENTATION OF PROGRAMMES TO PROMOTE THE RIGHT OF THE CHILD TO EDUCATION.

Ghana has ratified the CRC, and promised to place children's needs at the forefront of development.²³ The government has therefore pursued various measures to show its commitment towards the education of the child. This commitment is captured in several policy frameworks, programmes and strategies, and reports. These initiatives are as follows: Education For All (EFA, UNESCO, Dakar, 2000); Ghana Poverty Reduction Strategy 2002-2004 (GPRS I, February 2002); Education Sector Policy Review Report (ESPRR, August 2002); Education Sector Review (ESR, October 2002); The Report of the President's Commission on Review of Education Reforms in Ghana, ERRC, October 2002); Government's White Paper on the Report (2004); and The Education Strategic Plan (ESP), 2003-2015. The ESP is informed by many documents and policy frameworks, including the Education for All (EFA) goals, the Millennium Development Goals and the Ghana Poverty Reduction Strategy. The ESP is based on four focal areas namely: (i) equitable access to education, (ii) quality of education, (iii) educational management, and (iv) science, technology and technical and vocational education. Though the ESP is the document that will guide the action plan for educational development in the first two decades of the twenty-first century,²⁴ it designates basic education as a sector priority and therefore various measures and decisions have been taken by the Government to accelerate its efforts in achieving MDG 2 by 2015. Some of the measures taken include the institution of the capitation grant to all public basic schools, inclusion of pre-school education (4 to 5 years old) as part of compulsory basic education, the introduction of the GSFP, special programmes to bridge the gender gap in

access to education and targeted programmes to improve access in underserved areas.

By these programmes, the Government of Ghana is committed not only to achieving universal access to basic education, but also to improving the quality of education services offered.

3.2.1 CAPITATION GRANT (SCHOOL FEES ABOLITION)

One of the main reasons why most children did not attend school was that their parents could not afford to pay the levies charged by the schools. The government of Ghana introduced the capitation grant to create access to education for more children. However, before the introduction of the capitation grant, the FCUBE programme was in place. With support from the World Bank Primary School Development Project (PSDP)²⁶ and other international donors it was introduced in 1996²⁷ for a period of ten years (1996-2005) in fulfilment of the constitutional provision (Article 38). The main objective was to expand access to the quantity and quality basic education which will provide the essential building blocks to continue to higher levels of education or good foundation upon which work-related skills are developed for those who do not continue to higher education. Despite the policy of fee-free tuition in basic schools, many districts charged levies as a means of raising funds, for example, for school repairs, cultural and sporting activities and therefore had the effect of deterring many families, particularly the poorest, from sending their children, especially girls, to school²⁸. This denied the child his/her right to education. To forestall this situation, the government introduced the capitation grant. This programme, with World Bank support, was first piloted in Ghana's forty (40) most deprived districts in 2004²⁹ and later extended to fifty-three (53) districts.³⁰ This success led to the nationwide adoption in early 2005. Under this programme, all user-fees

and charges which have become a barrier to the right to education to many poor families and communities are abolished. It involves school fees abolition, and the abolition of internally generated funds (IGF) by the schools.³¹ In addition, an amount of money is given to each child enrolled. Under this system, every public kindergarten, primary school and junior secondary school received a grant of about \$3.30 (30,000 Cedis) per pupil per year and these schools are not permitted to charge any fees to parents.³² The grant has now been increased to GH04.50 per child.³³

As a result of the nationwide adoption, Akuapem South Municipality also falls under the programme. The grants are released to the schools in three bits (tranches) corresponding to the three terms of the academic year. The first, second and third tranches are released in the first, second and third terms respectively. This indicates that a third (tranche) of each school's grant is to be released in each term. This is however not the case. The grants are not released on time. In an interview with Madam Monica Thompson, the Head of Pakro Anglican Basic School, it came to light that the first tranche for 2008/2009 academic year which was to be released between September and December, 2008, was released in the first term of 2009/2010 academic year. Accessing the grants by the schools in the municipality therefore becomes a problem. Apart from that, not all the grants transferred to the municipality gets to the schools. According to the Municipal Education Office³⁴, what actually gets to the schools is seventy percent (70%) of schools portion for the three terms and a third of the 70% is released as a tranche for a term. Thirty percent (30%) of the each schools portion for the year is retained by the Education Office for the organisation of sports and cultural activities. Another issue

worth mentioning is that. Heads of basic schools who want their SPIP approved early must extend a hand of gratitude to the approving officer at the Education Office.

Despite the flaws in the implementation of the programme in the municipality, its introduction has seen an improvement in enrolment in the public basic schools within the municipality. The table below provides the attestation.

Table 3.8

EFFECT OF CAPITATION GRANT ON ENROLMENT IN AKUAPEM SOUTH
MUNICIPALITY

Year	Enrolment	Number Increase	Percentage (%) Increase
Before 2005	24,083	-	-
2005	25,212	1,129	4.7
2006/2007	28,656	3,444	13.7
2008/2009	32,145	3,489	12.2
2009/2010	32,235	90	0.3

Source: Ghana Education Service, Nsawam.

3.2.2 GHANA SCHOOL FEEDING PROGRAMME (GSFP).

One important piece of evidence from research in Ghana is that malnutrition and stunted growth are correlated with delayed enrolment in school. Health factors are important determinants of whether and when a child goes to school, their functioning in school, and how long they are expected to stay in school.³⁵ Even when they go to school, with hunger, they are not able to concentrate on school work. In addition, the need for food results in absenteeism. This scenario is true of most rural areas in Ghana and

therefore one of the reasons why the government introduced the GSFP. GSFP, as a pro-poor initiative, began in 2005 on a pilot basis with ten (10) schools drawn from each region of Ghana. The programme expanded rapidly and by March 2007, it had grown to cover 975 schools and benefited about 408, 989 pupils daily³⁶ exceeding the planned scale of operation for 2007. It is expected that by 2010, the programme will benefit over one (1) million pupils³⁷. The tables below show the planned scale of operation and the number of schools and pupils benefiting from the programme.

Table 3.9

PLANNED SCALE OF OPERATION

Year	No. Of Schools	No. Of Pupils
2007	899	320,000
2008	1,556	560,000
2009	2,222	800,000
2010	2,889	1,040,000

Source: Presentation on GSF P by Michael Nsowah, 22^{na} July, 2008.

Table 3.10

NUMBER OF SCHOOLS AND PUPILS BENEFITING FROM THE GSFP

Year	No. of Schools	No. of Pupils
2005	10	
August, 2006	200	69,000
December, 2006	598	234,800
March, 2007	975	408,989

Source: Ghana School Feeding Programme, Annual Operating Plan 2009.

Before the introduction of the GSFP, feeding has been used by international and religious organizations such as World Food Programme (WFP), Christian Relief Services (CRS), World Vision International (WVI) and Adventist Development and Relief Agency (ADRA) to attract parents to send their children to school. But these bodies targeted selected parts of the country.³⁸ GSFP, built on the initiatives of the international institutions, emphasising three (3) dimensions in school feeding - agriculture, health/nutrition and education. The basic concept of the programme therefore is to provide children in public primary schools and kindergartens in the poorest areas of the country with one hot, nutritious meal per day, using locally-grown foodstuffs on every school going day. There are three components to this programme. These are: (i) providing the school children in the poorest areas with one hot, adequate and nutritious meal per day, using locally-grown foodstuffs; (ii) to provide the beneficiary schools with poly tanks and other sanitation facilities so that they can have access to safe drinking water, and (iii) school children are to be de-wormed occasionally to rid them of worm infestation. It seeks to enhance food security, reduce hunger³⁹ and promote the right to basic education, in line with the UN Millennium Development Goals (MDGs) on the eradication of extreme poverty and hunger and malnutrition, and achievement of primary education. Its main and immediate objectives are: (i) to contribute to the reduction of hunger and malnutrition, (ii) boosting domestic food production, and (iii) increasing school enrolment, attendance and retention in deprived communities in the country.¹⁰ The



long term goal, however, is to contribute to poverty reduction and food security in Ghana. The strategy will focus the spending on local foodstuffs which will provide ready market for farm output, leading to wealth creation at the rural household and community level.⁴¹ The creation of wealth will in turn empower parents to provide the necessities of education for their wards.

The following institutions play important roles in the programme. GSFP National Secretariat with responsibility for overall implementation of the programme. Ministry of Local Government, Rural Development and Environment has oversight responsibility for the programme. The Technical Ministries for the programme are the Ministry of Food and Agriculture; Ministry of Health; and Ministry of Education, Science & Sports. Ministry of Finance and Economic Planning; Ministry of Women and Children's Affairs; and the Ministry of Fisheries collaborate in the implementation of the programme. Strategic and technical partners and external support agencies include the WFP, CRS, SNV Netherlands Development Organisation, ADRA, WVI, UNICEF, Plan International-Ghana, AgroEco - Organic farming, and School Feeding Initiative Ghana-Netherlands (SIGN). These partners collaborate and support various aspects of the programme more especially, from their experience in school feeding.⁴² Most of them have entered into a memorandum of understanding (MOU) with GSFP.⁴³

While some aspects of the programme such as the provision of meals and poly tank are implemented, other aspects of the programme such as de-worming of school children has not been done⁴⁴ on regular basis. In spite of the shortcomings, primary school enrolment has generally increased⁴⁵.

As a pilot programme, not all primary and kindergarten schools in the Akuapem South Municipality are beneficiaries. Presently only seven (7) schools benefit from the programme, five of which are in the urban centres of Nsawam and Adoagyiri. The selection of the schools did not consider circuit balance. The schools were selected from four (4) circuits out of a total number of seven (7). In addition, only two of the schools (Darmang and Ahwerase) can be said to be located in rural areas. The rest, located in Nsawam and Adoagyiri cannot be classified as less endowed schools. In this situation, the implementation of the programme in the municipality defeats the philosophy behind the introduction of the programme. That is, a pro-poor initiative to provide children in public primary schools and kindergartens in the poorest areas of the country with one hot, nutritious meal per day, using locally-grown foodstuffs on every school going day in order to increase school enrolment, attendance and retention, in deprived communities in the country. The table below shows the schools that are benefiting from the programme.

Table 3.11

LIST OF SCHOOLS BENEFITING FROM GSFP IN AKUAPEM SOUTH
MUNICIPALITY

Name of School	Circuit	Year Introduced
Darmang Presby Primary 'A' and 'B'	Adoagyiri	2005
Ahwerase Presby Primary	Aburi	2005
Adoagyiri R.C. Cluster of Schools	Adoagyiri	2006
Nana Osac Djan Primary	Djankrom	2006

Nsawam Methodist Cluster of Schools	Djankrom	2007
Nsawam Presby Primary	Nsawam Central	2009
Father Wieggers R.C. Primary School	Nsawam Central	2009

Source: Fieldwork

These schools, according to their headteachers, have witnessed improvement in enrolment. On the effect of the programme on quality education, they explained that, the programme has increased attendance and reduced excuses from pupils to go and eat at home where some may return late or never return. In addition, the pupils are attentive in class as they do not have to think of what to eat as they are in class and so able to grasp what is taught with ease. One major problem that was observed was that the period for feeding the children eats into teaching and learning period. To overcome this challenge all the beneficiary schools close after the usual GES time of between 1:30 pm and 2:00 pm. The extra time is however, not for free.

3.2.3 EARLY CHILDHOOD EDUCATION (PRE-SCHOOL EDUCATION)

According to Abgenyega⁴⁶, existing literature indicate that, better experiences in the early years are critical to raising educational outcomes in later years of schooling and equal access to early childhood education leads to poverty reduction, narrowing the exclusion gap and raising community living standards. It is therefore a laudable idea for the introduction of this programme. ECE in Ghana can be traced to colonial period in 1843 when the Basel Missionaries introduced day-care centres^{*7}. Before the present programme, the management of pre-school education was the preserve of the private sector with only a few under the control of the government. Even then it was not part of the formal school structure. In 2002 therefore, two year kindergarten for children aged 4

and 5 years was recommended by the President's Committee on Review of Education Reforms¹⁸ and became part of the mainstream educational system when the government issued a White Paper on the Reform in 2004. Implementation, however, started in 2007 and this therefore extended the formal basic education to eleven (11) years.⁴⁹ According to Abgenyega, the present early childhood development policy in Ghana was driven by certain critical and pervading issues. These include the following: the poor situations of 90% of children (0-6 years) especially from deprived areas who are deprived of early childhood services; commitment to both international conventions and treaties Ghana has ratified (such as the CRC) and domestic obligation (as stipulated in the 1992 Constitution) to protect and promote the rights of the child; a strategy for poverty reduction; and, streamlining the fragmented activities of all early childhood service providers.⁵⁰ The main argument for including 2 years of kindergarten is to improve chances of children enrolling in primary education.⁵¹ This will ensure that these children enjoy a high quality basic education, one of the key objectives of the White Paper on Education Reform.⁵² Under this programme, the state provides a fee-free tuition in pre-schools and therefore has the responsibility of providing kindergarten classrooms for all primary schools to ensure increase in accessibility.

Like the Capitation Grant, this programme is implemented in all the public primary schools in the municipality since pre-school has become part of the main stream formal education. The pupils therefore enjoy the capitation grants and teachers and/or attendants are posted or recruited by the Municipal Education Office. The Municipal Assembly, in showing commitment has built a number of modern kindergartens in communities like

Obosono, and Ahyiresu. This programme like the others mentioned above has led to increase in enrolment at the kg level. Find the figures in the table below.

Table 3.12

EFFECT OF THE EARLY CHILDHOOD EDUCATION PROGRAMME ON
ENROLMENT IN AKUAPEM SOUTH MUNICIPALITY

Year	Enrolment	Number Increase	Percentage (%) Increase
2005	4545	-	
2006/2007	5.142	597	13.1
2008/2009	6.533	1,391	27.1
2009/2010	6.394	-139	0

Source: Ghana Education Service, Nsawam.

Though there was a reduction in enrolment for the 2009/2010 academic year, the success of the programme was witnessed in the previous year.

3.3 CONCLUSION

The state, as a major stake holder in education, committed to the right of the child to education in Akuapem South Municipality has put in place interventions in accordance with Article 26(1) of the UDHR, Article 13(2a) of the ICESCR. Article 28(1a, 1e) of the CRC, Article 11 (3a, 3b, 3c) of the ACRWC, and Article 25(1 a) of 1992 Constitution of Ghana for the purpose of promoting this right. Coupled with more than enough teachers. these measures have undoubtedly increased access to education. The problem however, is with the quality especially in the rural areas. By adhering to the provisions in the legal documents, the state has performed its legal duty. But are these interventions enough to bring about the desired quality in rural areas? What other issues fight against this aspect

of right to education (quality)? Is the state the only key stakeholder? If no, who are they? Have they also performed their legal duties to the extent that will bring about the desired quality? The next chapter analyses the data collected to find out if these stake-holders have performed their legal duties to ensure the realisation of the right of the rural child to education in public basic school in the Akuapem South Municipality.

NOTES

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⁵ <http://www.ghanadistricts.com/districts/?r=4&=66&rlv=topology> (Retrieved, 2nd March, 2010).

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¹⁰ Ibid, 16.

¹¹ Ibid.

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¹³ National Development Planning Commission, Ghana Poverty Reduction Strategy. 2003 Annual Progress Report, (March 2004), p.68.

¹⁴ Derrick Boateng, “Akuapem South Municipal Assembly: Setting The Pace in Development”, in The Statesman, 06/03/2008. http://www.thestatesmanonline.com/pages/news_detail.php?section=11&newsid=5919 (Retrieved 30th May, 2010).

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¹⁷Ibid.

¹⁸Ibid, p. 54.

¹⁹Ibid.

- ²⁰ Ghana Education Service-Nsawam, "Summary of Enrolment For 2009/2010 Academic Year".
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- ²⁷ Mikiko Nishimura, Keiichi Ogawa, Daniel N. Sifuna, Joseph Chimombo, Demis Kunje, Joseph Ghartey Ampiah, Albert Byamugisha, Nobuhide Sawamura & Shoko Yamada, "A Comparative Analysis of Universal Primary Education Policy in Ghana, Kenya, Malawi, and Uganda" in Journal of International Cooperation in Education. Vol.12 No.1 (CICE Hiroshima University, 2009) p. 146.
- ²⁸ Madeez Adamu-Issah et. al., Op. cit. p. 3.
- ²⁹ Ibid, p. 4.
- ³⁰ Kwame Akyeampong et. al., Op. cit. p. 13.
- ³¹ Ibid, pp. 13-14.
- ³² Madeez Adamu-Issah et. al., Op. cit. p. 4.
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³⁴ Ghana Education Service, Nsawam, Workshop On Capitation Grants Organised For Head Teachers And Their Assistants At The Presby Basic School, Nsawam On 29^hSeptember. 2009.

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³⁷ Michael Nsowah, Presentation On Ghana School Feeding Programme (GSFP), at the Meet -the -Press Series in Accra, 22nd July 2008.

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⁴² Ibid, P. 10; Michael Nsowah, Op. cit.

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CHAPTER FOUR

STAKE-HOLDERS AND THE PROMOTION OF THE RURAL CHILD'S RIGHT TO EDUCATION IN AKUAPEM SOUTH MUNICIPALITY.

4.0 INTRODUCTION

The previous chapter looked at the effort of the state in promoting the rural child's right to education in the Akuapem South Municipality in consonance with both international and domestic legal instruments. The state is however not the only key stakeholder under the obligation of these legal instruments in the promotion of this right. The educator and the parent/guardian are obliged in this direction. This chapter analyses the views of respondents on whether the key stake-holders have done enough to promote the rural child's right to education.

The study was restricted to twenty-one (21) public basic schools in rural areas from seven (7) circuits in the municipality. These schools were selected because their performance in the BECE is not encouraging indicating that the quality of education in these schools is poor. The criterion for the selection of these schools was the trend in the BECE results in the past three years. The study gathered data from pupils, parents/guardians, teachers and headteachers. One hundred and sixty-eight (168) respondents were selected from the various populations using stratified random sampling, simple random sampling and purposive sampling. The breakdown is as follows: sixty-three (63) pupils; forty-two (42) parents; forty-two (42) teachers; and twenty-one (21) headteachers. In each school Three (3) pupils (one each from Lower Primary. Upper

Primary and JHS) and two (2) teachers were randomly selected. The headteacher was selected because of the position he/she occupies. Two (2) parents/guardians from the community in which the school is located were randomly selected. Questionnaires were given to selected teachers, headteachers, pupils and parents/guardians. The purpose was to collect data will that provide insight into the factors that militate against the rural child's right to education in the municipality.

Data collection commenced in March, 2010 and was completed in April, 2010. The swiftness in the data collection was due to the fact that two (2) research assistants were recruited to help in the interview of the pupils and parents/guardians. Again, preliminary visits had been done to some of these schools and so the teachers were familiar with the researcher. These teachers therefore responded to the questionnaires instantly.

In spite of this positive response, data collection was not all rosy. While some respondents were ready to answer the questions, others were not for fear of being cited. In one of the selected schools, the headteacher refused to let us speak to anyone in the school even after several explanations so another school was selected to replace it. In other instances even though teachers and pupils answered the questionnaires, the headteachers could not because they were not present. Return visits were made to get the heads to answer the questionnaires. Another problem was the delay in the return of the questionnaires. The collection of the questionnaires from some respondents who did not answer the questionnaires instantly was a problem as multiple visits had to be made until they were met.

This chapter presents findings of the study with respect to responses to questionnaires by headteachers and teachers, structured interviews with parents and pupils, and data collected from observations by the researcher. The chapter is therefore grouped under the themes which formed the basis of the questionnaires.

4.1 BIOGRAPHICAL INFORMATION OF RESPONDENTS.

Table 4.1

Distribution of Respondents by Gender

	Respondents				Total (%)
	Pupils	Parents	Teachers	Headteachers	
Male (%)	35 (55.6%)	19(45.2%)	19(45.2%)	17(81.0%)	90 (53.6%)
Female (%)	28 (44.4%)	23 (54.8%)	23 (54.8%)	4(19.0%)	78 (46.4%)
Total (%)	63 (100%)	42(100%)	42 (100%)	21 (100%)	168(100%)

Table 4.1 shows the gender distribution of the respondents. Even though there were more female respondents for parents and teachers, generally male respondents (53.6%) were slightly more than females (46.4%). This situation arose because there were more male pupils and headteachers.

Table 4.2a

Distribution of Respondents (Pupils) by Age

Age of pupils in years	Count	Percentage (%)
6-9	7	11.1
10- 13	25	39.7

14-17	24	38.1
18+	7	11.1
Total	63	100

Table 4.2b

Distribution of Respondents (Others) by Age

Age in years	Population			Total
	Parents	Teachers	Headteachers	
Below 20	1 (2.4%)	-	-	1 (1.0%)
20-29	7(16.7%)	29 (69.0%)	2 (9.5%)	38 (36.2%)
30-39	16(38.1%)	13 (31.0%)	8(38.1%)	37 (35.2%)
Above 39	18(42.9%)	-	11 (52.4%)	29 (27.6%)
Total	42 (100%)	42(100%)	21 (100%)	105(100%)

Table 4.2a shows that 11.1% of pupils who were selected were eighteen (18) years and above. Though these were not children, for this study, they were considered as such since they were still in the basic school. Table 4.2b also shows that most of the parents (57.1%) and all the teachers who responded to the questions were below forty years. This is an indication that the rural areas of the municipality have a youthful workforce capable of ensuring that the rural child enjoys his/her right to education to the fullest.

Table 4.3

Distribution of Respondents by Academic Qualification

	Population		
	Parents	Teachers	Headteachers
None	7(16.7%)	-	-
Basic	27 (64.3%)	-	-
SSSCE/GCE	8 (19.0%)	12(28.6%)	6 (28.6%)
Diploma	-	24 (57.1%)	10 (47.6%)
Degree	-	6 (14.3%)	5 (23.8%)
Total	42(100%)	42(100%)	21 (100%)

Apart from pupils, the educational background of the other respondents was inquired. The response in table 4.3 shows that though majority (71.4%) of the teachers and headteachers had higher academic qualification, there was a substantial number of them with secondary qualification. For parents/guardians, majority (64.3%) ended at the basic level.

Table 4.4

Distribution of Respondents by Professional Qualification

	Population		Total
	Teachers	Headteachers	
Professional	29 (69.0%)	21 (100%)	50 (79.4%)
Non-professional	13(31.0%)		13 (20.6%)
Total	42(100%)	21 (100%)	63 (100%)

The responses in table 4.4 show that as much as 79.4% of the teachers and headteachers who responded to the questionnaires were professional teachers.

Table 4.5

Distribution of Respondents by Religion

	Population		Total
	Pupils	Parents	
Christianity	53 (84.1%)	39 (92.9%)	92 (87.6%)
Islam	7(11.1%)	3 (7.1%)	10(9.5%)
Other religions	3 (4.8%)	-	3 (2.9%)
Total	63 (100%)	42(100%)	105 (100%)

Table 4.5 shows that majority of the pupils and parents/guardians who answered the questions indicated that Christianity was the major religion in the municipality.

Table 4.6

Distribution of Respondents (Parents/Guardians) by Occupation

Occupation of parents	Count	Percentage (%)
Fanning	20	47.6
Trading	18	42.9
Others	4	9.5
Total	42	100

Table 4.6 shows the occupational distribution of parents/guardians who responded to the questionnaires. Majority (47.6%) of them were engaged in fanning followed by trading

which attracted 42.9% of the parents. This was to be expected because the major occupation in the municipality is farming.

Table 4.7

Distribution of Respondents (Parents/Guardians) by Income/Annum

Income per annum	Count	Percentage (%)
Less than GH0100	24	58.5
GH0100+	17	41.5
Total	41	100

Responses from table 4.7 indicate that 58.5% of the parent respondents earned less than GH0100 (one million old Cedis) annually. According to the Ghana Living Standard Survey, people with an annual income of less than a million Cedis (old currency) are poor.¹ This means that most of the parents/guardians are poor judging from the fact that majority of them engage in farming which is practised at the subsistence level.

Table 4.8

Distribution of Respondents (Parents/Guardians) by Number of Dependants

No. Of Dependants	Count	Percentage (%)
Below 3	10	23.8
3-5	22	52.4
Above 5	10	23.8
Total	42	100

Apart from the low income of parents, table 4.8 shows that only 23.8% of the parents who responded to the questionnaires had to care for less than three children. Majority (76.2%) of them had to care for at least three dependants. This places some sort of financial burden on parents/guardians.

4.2 THE STATE

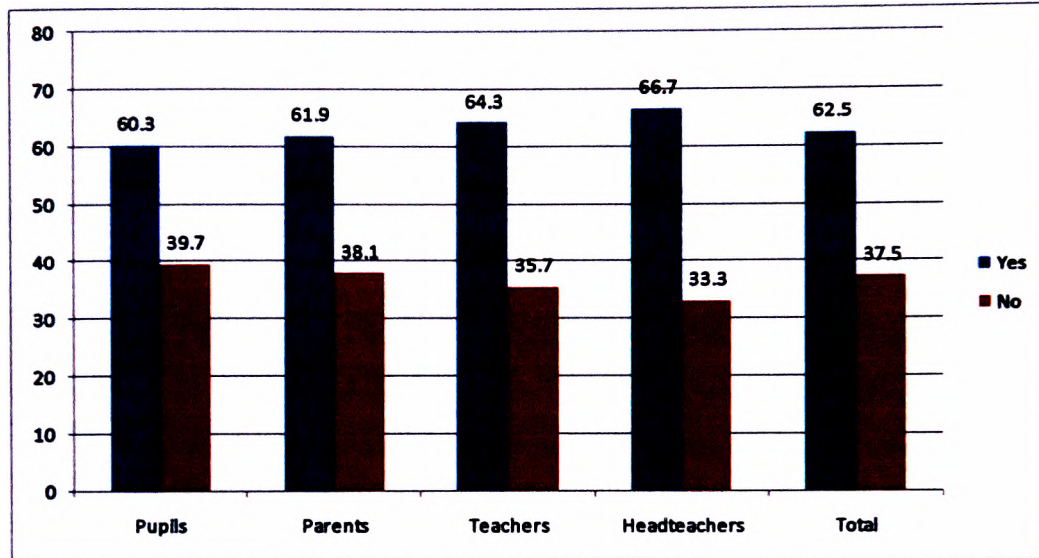
The state has mandatory role to play in the promotion of the rural child's right to education. According to the legal documents discussed in the second chapter of this study, the state recognizes the right of the child to education and shall take all appropriate measures to achieve the full realisation of this right.² Even though the state has increased accessibility by instituting the capitation grants in all basic schools in the municipality, quality of education in the rural areas of the municipality leaves much to be desired. For full realisation, the state is responsible for the provision of good school buildings and other facilities that aid the promotion of the right, textbooks, as well as teachers otherwise known as resource inputs. Views were therefore solicited on their availability.

4.2.1 Availability of Good School Building

One major difference between formal education and the other forms (informal and non-formal) is the presence of a formal structure (school building). This building must be identified as good so as not to compromise the delivery of quality education in the school. Majority of the respondents responded that their schools or wards' schools have good school buildings. 62.5% and 37.5% said 'Yes' and 'No' respectively. Figure 4.1 shows the responses of respondents.

Fig. 4.1

Response on the Availability of Good School Building in Rural Areas of the Municipality.



This means that there are more schools with good school buildings in die rural areas of the municipality. This somewhat positive response related to school building is partly attributed to the effort of Millennium Development Authority (MiDA) in the rehabilitation of dilapidated schools in the municipality. There is however a substantial number of schools in the rural areas with bad buildings thereby affecting teaching and learning. Observation revealed that there are still many schools in the municipality having classes under sheds. According to respondents, the bad buildings means that lessons must be stopped and school closed when rain clouds gather. Classes are therefore



not effective in the rainy season. This then affects the quality of education the child is expected to gain because the teacher is not able to teach the required topics for the year.

4.2.2 Availability of Library and Other Facilities

Apart from school buildings, libraries and sanitation facilities do contribute to good outcomes in education delivery. The tables below provide the responses on these issues.

Table 4.9

Response on the Availability of Library in Rural Schools/Communities in the Municipality.

	Pupils	Parents	Teachers	Headteachers	Total
Yes	11 (17.5%)	4 (9.5%)	4 (9.5%)	1 (4.8%)	20(11.9%)
No	52 (82.5%)	38 (90.5%)	38 (90.5%)	20 (95.2%)	148 (88.1%)
Total	63(100%)	42(100%)	42 (100%)	21 (100%)	168(100%)

Generally, respondents responded that the schools or the communities do not have library facilities. In majority of the cases, physical structures as libraries were not observed but one or two aluminium boxes containing a few library books. For the few who had physical library structures, there were either few books or the structures were not used for the intended purpose because of lack of classrooms for the kindergarten. This situation has contributed to the poor quality of the English Language pupils in the rural areas of the municipality speak and write thereby affecting their right to quality education in totality.

Table 4.10

Availability of Sanitation Facilities.

	Pupils	Parents	Teachers	Headteachers	Total
Yes	31 (49.2%)	23 (54.8%)	19(45.2%)	14 (66.7%)	87 (51.8%)
No	32 (50.8%)	19(45.2%)	23 (54.8%)	7 (33.3%)	81 (48.2%)
Total	36(100%)	42 (100%)	42(100%)	21 (100%)	168(100%)

The facilities in question here are urinal and toilet facilities. Though (51.8%) of total respondents were of the view that the schools do have these facilities, majority of pupils and teachers responded that their schools do not have the facilities. Observation however showed that most of the schools have at least a makeshift urinal. The availability of toilet facility was however the problem. What this means is that, this large number of pupils have to use toilet facilities outside the school when they are in school or will not respond to the call of nature at all when they have to. The effect of this situation on the education of the rural child is that, the child misses lessons because he/she returns late or refuses to return to the school (which some pupils do) if they use facilities which are far from the school. If the child refuses to respond to the call of nature, then his concentration becomes divided and therefore unable to grasp whatever the teacher teaches. From the above, it is clear that the state has not lived up to the Article 25 (1e) of the Constitution which requires the state to provide adequate facilities for schools at all levels.³

4.2.3 Availability of Textbooks

Apart from the infrastructural facilities, textbooks also form an important aspect in promoting the right to quality education. Since textbooks continue to be a major influence on classroom teaching, and the school curricula at the basic school level depend heavily on textbooks, both pupils and teachers must have access to and use textbooks.⁴ Yet pupils, teachers and headteachers indicated that textbooks for the subjects taught, especially the core subjects are lacking in the schools. 79.4%, 78.6% and 81.0% of valid responses from pupils, teachers and headteachers respectively indicated that textbooks are not enough in the schools. The table below gives the distribution.

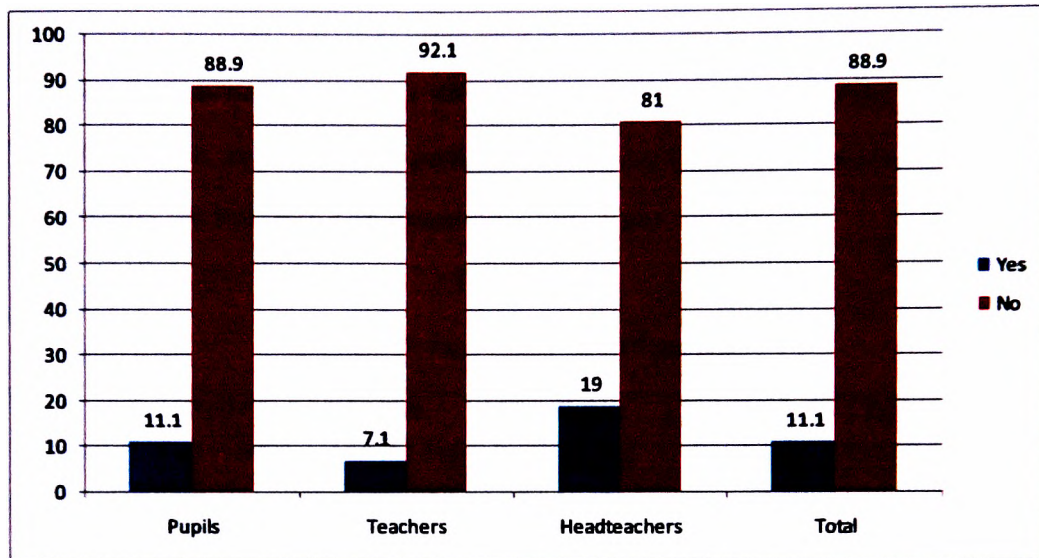
Table 4.11

Availability of Textbooks

	Pupils	Teachers	Headteachers	Total
Yes	13(20.6%)	9(21.4%)	4(19.0%)	26 (20.6%)
No	50 (79.4%)	33 (78.6%)	17(81.0%)	100 (79.4%)
Total	63(100%)	42(100%)	21 (100%)	126(100%)

Fig 4.2

Availability of Core Textbooks



Even though the availability of textbooks in the basic school is not something to write home about, that of the core subjects is worse. Figure 42 shows that all groups of respondents indicated that textbooks for the four core subjects that are studied in the basic schools are lacking. The results show that majority of the schools in rural areas of the municipality have no access to textbooks in English Language, Mathematic, Integrated Science and Environmental/Social Studies in terms of 1:1. This has implication for studying at home with the aid of textbooks as the textbooks are collected by teachers after school.



4.2.4 Teacher Availability

Pupil Teacher Ratio (PTR) is one of the key input indicators used as a proxy measure for education quality within the ESP. The Ministry of Education, Science and Sports (MoESS) and GES policy is to have a PTR of 35:1 at the primary level and 25: 1 at the JSS level⁵. Responses from respondents showed that there are more teachers in the rural schools of the municipality. About 90% of respondents affirmed this. Valid responses from respondents were as follows: pupils (100%), parents (88.1%), teachers (90.5%) and headteachers (90.5%). This is illustrated in the table below

Table 4.12

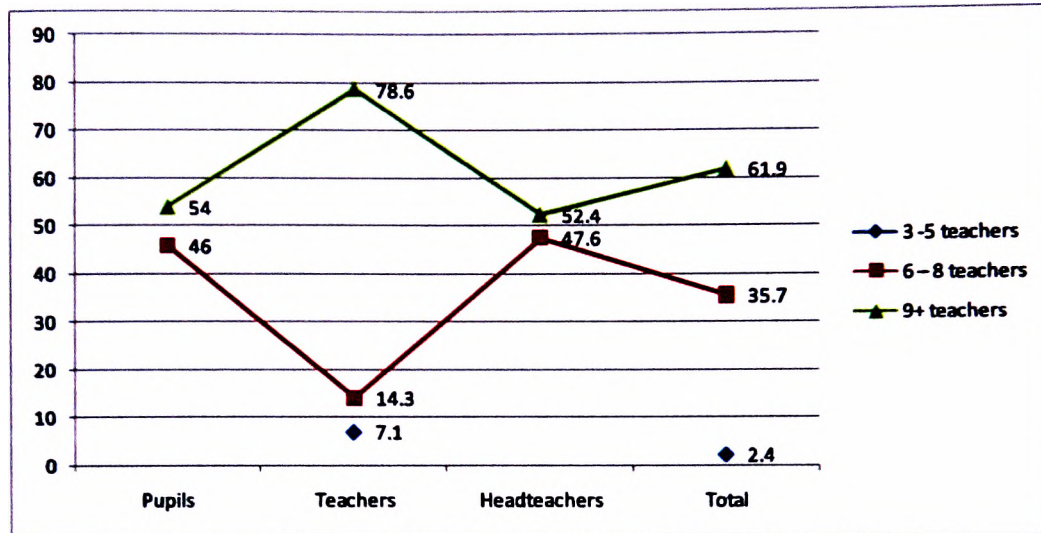
Response on the Availability of Teachers.

	Pupils%	Parents	Teachers	Headteachers	Total
Yes	63 (100%)	37 (88.1%)	38 (90.5%)	19(90.5%)	157 (93.5%)
No	-	2 (4.8%)	4 (9.5%)	2 (9.5%)	8 (4.8%)
Don't know	-	3 (7.1%)	-	-	3 (1.8%)
Total	63(100%)	42(100%)	42(100%)	21 (100%)	168(100%)

The situation above means that there are more teachers in the municipality and that the PTR in the schools is less than the national policy. Fig 4.3 below complements table 4.12 to make the assertion clearer. The figure shows that generally, most (61.9%) of the rural schools in the municipality have at least nine teachers and 97.6% have not less than six teachers. Considering the small class sizes in most of the schools visited, the maximum number of teachers for the primary level should have been six (6) and that of the JHS should have been five (5). The situation on the ground, however, is that some of the primary schools have as many as twelve teachers and the JHS have ten teachers.

Fig. 4.3

Number of Teachers in the Rural Schools of the Municipality.



According to Parker (2004) teachers' qualification does influence the quality of teaching, and that a good mix of subject matter knowledge and pedagogic content knowledge is essential for effective lesson delivery.⁶ The professional qualification of teachers was investigated. Majority of headteachers (66.7%) admitted that, most of the teachers are professionals. This was in agreement with teachers' response on their professional qualification. Out of the 42 teachers sampled 29 representing 69.0% indicated that they are professional teachers. This implies that more professional teachers with high academic qualifications have been posted to the rural areas of the municipality. Contrary to the view that rural areas lack adequate number of teachers and that the available ones comprise more non-professionals, the situation presented here shows that

the rural areas of this municipality is spared of this agony. The state must therefore be applauded for the provision of teachers in the rural areas. However, there are a number of schools within the municipality with few professionals.

4.3.0 THE EDUCATOR/TEACHER

The provision of good physical structures and the resource inputs by the state is very important to the realization of the rural child's right to education but these resources cannot impart knowledge by themselves. Somebody must act to make these resources impact on the life of the child educationally. The educator therefore becomes central to the realization of the right to education and thus obliged in the following manner. "The education of children in this country has been largely entrusted into the hands of members of the Ghana Education Service. This places members of the Service, whatever their role in a special position of responsibility which requires exceptionally high standard of behaviour and conduct."⁷ The standard of behaviour and conduct include punctuality, regularity, giving adequate number of exercises as well as eschewing acts that are not in the best interest of the child. Views were therefore solicited from respondents on these issues.

4.3.1 Regularity and Punctuality of Educators/Teachers.

Basic school pupils are expected to acquire certain skills such as numeracy and literacy within the time frame allocated for the completion of the full course. Since time lost can never be regained and therefore detrimental to the achievement of these objectives, regularity at school and punctuality to school ensure that the child does not lose some allocated time. On this, valid response from pupils gave 44.4% and 52.4%

‘Yes’ to regularity and punctuality respectively. Parents, teachers and headteachers on the other hand gave the following responses shown in the table below.

Table 4.13

Punctuality and Regularity of Teachers

	Regularity			Punctuality		
	Yes	No	Total	Yes	No	Total
Pupil	28 (44.4%)	35 (55.6%)	63 (100%)	33 (52.4%)	30 (47.6%)	63 (100%)
Parent	31 (79.5%)	8 (20.5%)	39 (100%)	29 (76.3%)	9 (23.7%)	38 (100%)
Teacher	38 (90.5%)	4 (9.5%)	42 (100%)	37 (88.1%)	5(11.9%)	42 (100%)
Headteacher	19 (90.5%)	2 (9.5%)	21 (100%)	16 (76.2%)	5 (23.8%)	21 (100%)
Total	116 (70.3%)	49 (29.7%)	165 (100%)	115 (70.1%)	49 (29.9%)	164 (100%)

From the table majority of valid responses indicated that teachers attend school regularly (70.3%) and punctually (70.1%). This means that generally, teachers in the rural areas of the municipality are regular at school and punctual to school. However, the table also shows that almost 30% of the teachers are not regular and punctual. In addition, a critical view of the table reveals that responses of pupils on the matter showed that most teachers (55.6%) are not all that regular while more (47.6%) go to school late. Since they are in close contact with the teachers and bear the consequences of the acts of teachers (whether positive or negative) their views must be given due weight. The teachers and

headteachers, in order to avoid blame are likely to twist the reality. A teacher however was bold to state, during a casual conversation, that aside from the fact that most teachers in his school are not punctual, they also leave before school closes. This therefore means that, going by the response of the children, majority of teachers in the rural areas of the municipality are not regular and punctual. Personal observation during the administration of the questionnaires supports this assertion.

4.3.2 Setting Adequate Number of Exercises and Prompt Marking.

Going to school regularly and punctually is one part. The other part is, does the teacher do his/her assigned work? This is known through the number of exercises teachers set, as exercises are set on what has been taught. Exercises allow the child to know how he/she is performing. It gives the teacher the opportunity to assess whether or not pupils have understood what he/she has taught and to correct mistakes. This ensures the promotion of the right to quality education. Investigation was carried out on whether teachers set adequate number of exercises. Valid responses from the various groups of respondents were as follows. 73.0% and 27.0% for 'Yes' and 'No' respectively came from pupils. 57.1%, 35.7% and 7.1% of parents response was 'Yes', 'No' and 'Don't know' respectively. Headteachers response was 71.4% 'Yes' and 28.6% 'No'. Teachers gave 92.7% and 7.3% for 'Yes' and 'No' respectively. This means that most teachers in rural areas of the municipality are trying as much as possible to obey the command pertaining to setting exercises in the code of professional conduct for teachers which states that a teacher shall set adequate amount of written and practical exercises in all the subjects he/she teaches.⁸

On the issue of prompt marking, valid response from pupils was 77.8% for 'Yes' and 22.8% for 'No'. 97.6% and 2.4% of valid response from Teachers was 'Yes' and 'No' respectively. Valid response from headteachers was 100%. This also indicates that the teachers are adhering to command on prompt marking. It states that a teacher shall mark and evaluate all written/practical exercises promptly and carefully.⁹

4.3.3: Type Of Punishment Meted Out To Pupils.

Discipline in school is very important to the realization of the child's right to quality education and this is ensured in most cases through punishment. There are three things that punishment does. One, it corrects the wrongdoer (reformative function); two, it deters others from doing same (deterrent function); and three, to inflict pain on the wrongdoer (retributive function). Punishment is bad if it is retributive, good if it is deterrent but best if is to reform the child and not affect the best interest of the child. Sadker and Sadker have however indicated that time spent disciplining pupils is negatively related to achievement¹⁰. Almost all respondents affirmed that pupils are punished in some way. The figure below shows the responses on the sort of punishments meted out to pupils.

Fig. 4.4

Forms of Punishment Used by Teachers

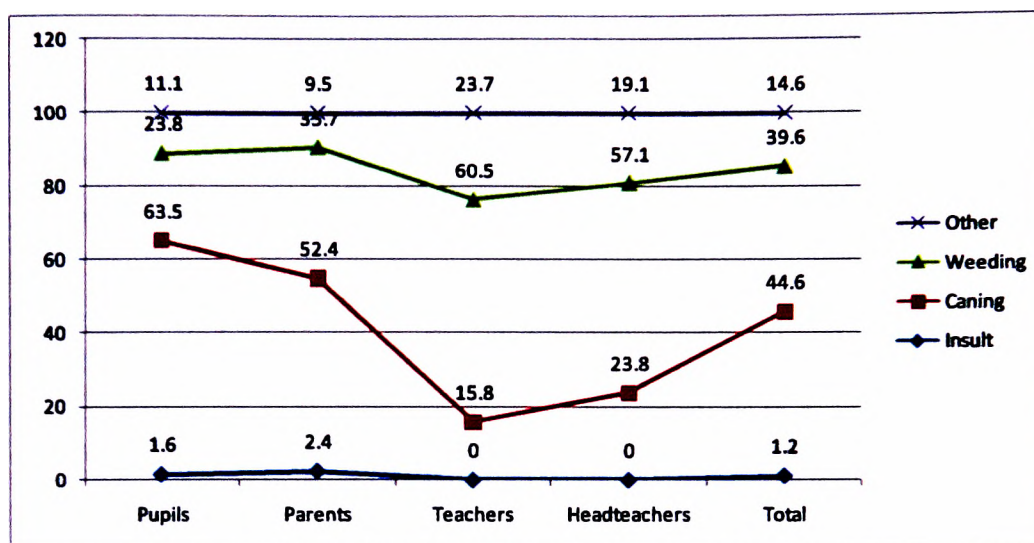


Fig. 4.3 tells that generally, caning (44.6%) is the punishment mostly used by teachers followed by weeding (39.6%). Insult (1.2%) is the form of punishment least meted out to pupils. According to pupils, teachers sometimes ask them to run around the school field or school building. These punishments, according to majority of the parents and a few of the pupils are good because they correct the children. Thinking in this manner clearly shows that these parents are oblivious to the right of the child not to be tortured as stipulated in the CRC¹¹ and the Children's Act¹². These punishments (especially caning) as stated above are detrimental to the promotion of the right of the child to education. 37.9% of valid responses from pupils indicated that the fear of being caned when they offend prevent them from concentrating on what the teacher is teaching.

This is why the GES rule¹³ on the punishment of pupils frowns on the use of the cane on pupils as the main form of punishment. The only person mandated to use the cane as a form punishment is the headteacher. This, he/she does when the offence is very serious. Even then he/she cannot use it on the first occurrence and can give only four strokes. Another 37.9% stated that the punishments affect their attendance to school. That is, they absent themselves from school especially when they are late to school. 24.1% also said they miss lessons when punishments other than caning are meted out and are expected to be fulfilled during school hours.

4.3.4: Engagement of Pupils in Work During School Hours.

The main reason for enrolling children in school is to be taught and for them to learn. The act of engaging pupils in work during school hours is something that has been observed in the rural areas of Ghana. Respondents were asked if pupils are used to work to generate funds for supporting activities in the school. Some respondents responded ‘Yes’ while others responded ‘No’. The table and the figure below give details.

Table 4.14

Engagement of Pupils in Work During School Hours.

	Pupils	Parents	Teachers	Headteachers	Total
Yes	30 (47.6%)	14(34.1%)	23 (54.8%)	6 (28.6%)	73 (43.7%)
No	33 (52.4%)	27 (65.9%)	19(45.2%)	15(71.4%)	94 (56.3%)
Total	63(100%)	41 (100%)	42(100%)	21 (100%)	167 (100%)

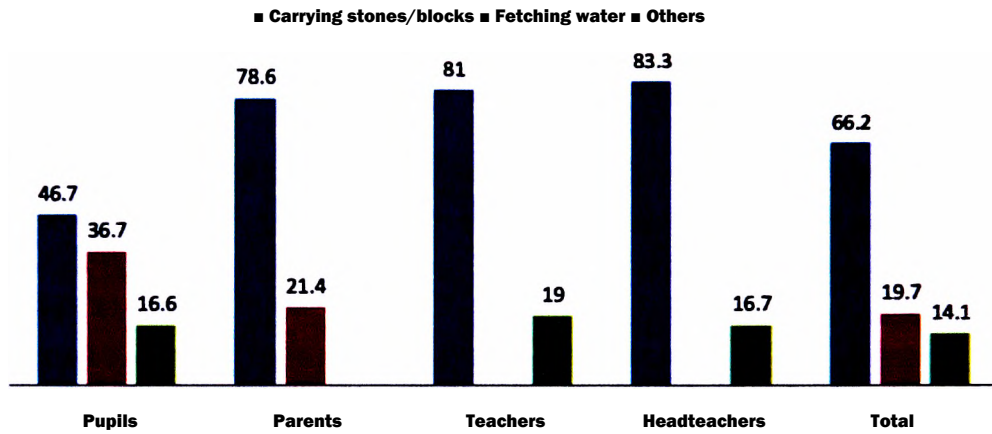
Table 4.14 shows that even though majority of respondents (56.3%) responded that pupils are not used to work during school hours, as much as 43.7% of total valid responses indicated that pupils are engaged in work to raise funds. In addition, valid response from teachers (54.8%) indicated that the schools engage pupils in work during school hours. This is an indication that most of the schools in the rural areas of Akuapem South engage their pupils in works detrimental to their right to education. This situation falls short of Article 32(1) of the CRC which states that the child is to be protected from economic exploitation and from performing any work that interferes with his/her education, and Sections 12 and 87 of the Children's Act which state that no person shall subject a child to exploitative labour as provided under section 87 of this Act and that labour is exploitative of a child if it deprives the child of his/her education. These works obviously interfere with the child's education and deprives him/her the right to education.

The main types of work pupils are engaged in as shown in fig. 4.5 is predominantly the carrying of stones or blocks or firewood, followed by the fetching of water. With regard to the stones, pupils are asked to pick stones after school and then bring them to school the following morning. These stones are collected, gathered and then carried to the buyer for building purpose. The problem this presents in regard to the promotion of the right of the rural child to education is that the child uses his time for private study to go look for the stones. The child is punished (usually caned) if he/she fails to bring the stones. As noted above punishment has a negative effect on learning. Apart from these, pupils indicated that the works they are engaged in make them miss lessons (70%), or become tired after the work and therefore unable to concentrate even if lessons continue (23.3%). This situation is against the rationale for the introduction of the capitation grant

and therefore against the rules of the state to engage pupils in any work that is detrimental to their right to education.

Fig. 4.5

Response on the Main Forms of Work Teachers Engage Pupils in During School Hours



4.3.5 Examination Fees in Rural Schools

One other reason for the introduction of the capitation grant is to stop the collection of certain monies such as examination fees which forms barrier to education especially in the case of the poor. The code of professional conduct for teachers is also clear on the collection of monies termed as unauthorised. It states that no teacher shall collect any unauthorised monies from members of the education Service or parents/pupils or the general public in the course of his official duties.¹⁴ With the introduction of the capitation grant collection of examination fees becomes unauthorised hence illegal. Views were

therefore solicited on this issue to find out if teachers have complied with this directive.

The table below shows the responses of respondents.

Table 4.15

Collection of Monies (Examination Fees) in the Schools.

	Pupils	Parents	Teachers	Headteachers	Total
Yes	62 (98.4%)	40 (95.2%)	35 (89.7%)	18(85.7%)	155 (93.9%)
No	1 (1.6%)	2 (4.8%)	4(10.3%)	3 (14.3%)	10(6.1%)
Total	63 (100%)	42(100%)	39(100%)	21 (100%)	165(100%)

The results from table 4.15 show that almost all the rural schools in the municipality are defying the rule on the collection of unauthorised monies. But out of 40 parents who pay such fees majority (67.5%) claim that they pay because they want better education for their wards. This is an indication that most parents know the essence of examination. There are however, some parents who pay because they have been asked to pay (7.5%) or their wards will be sacked (20.0%). This indicates that these parents find it difficult to bear the little cost of education even after the state has absorbed a larger part of the cost. These parents therefore asked for government intervention in this area.

The relationship between the collection of these monies and the non-promotion of the right of the rural child to education lies in the fact that failure to pay attracts some negative consequences to the child. The child is caned or prevented from writing the examinations which is the norm in most cases. Though some pupils (9.5%) indicated that they are allowed to write and asked to bring the money later, more than 70% of pupils said that their teachers do not allow defaulters to write the examinations. This situation violates the child's right to education as this is making education the preserve of those

who can pay. Pupils indicated that they are repeated in most cases and therefore takes away the joy and desire to be in school always as well as the desire to learn hard.

4.3.6 Supervision

Teachers know the rules guiding their profession but may not comply with the rules unless there is strict and constant supervision. This is where the mandatory role of the supervisor as an educator comes to play. The Education Act, Act 778 of 2008 explicitly states that "the directors and supervisors within the regional and district directorates of education shall undertake, in accordance with the directives or guidelines of the Board, routine inspection of schools to ensure the maintenance of standards of performance in teaching and learning"¹⁵. Views were collected to ascertain whether they do just that. Table 4.16 and fig.4.6 show that both teachers and headteachers said that circuit supervisors visit the schools regularly and that they visit the schools at least twice in a term. An interview with the Assistant Director in charge of supervision at the Municipal Education Office, Mrs. Augusta Ntow Osaebó, revealed that supervisors must visit the schools under their jurisdiction at least three times in a term¹⁶. This then means that supervisors are not that regular as indicated by the responses of the teachers and the headteachers because only 40.4% of the total response indicated that the circuit supervisors visit the schools more than twice in a term. In addition, even when these supervisors do visit the schools, observation has revealed that they hardly do proper inspection. What they do is just visit the schools and spend some few minutes with the headteachers and move away. Table 4.16 and figure 4.6 show the response of teachers and headteachers on this matter.

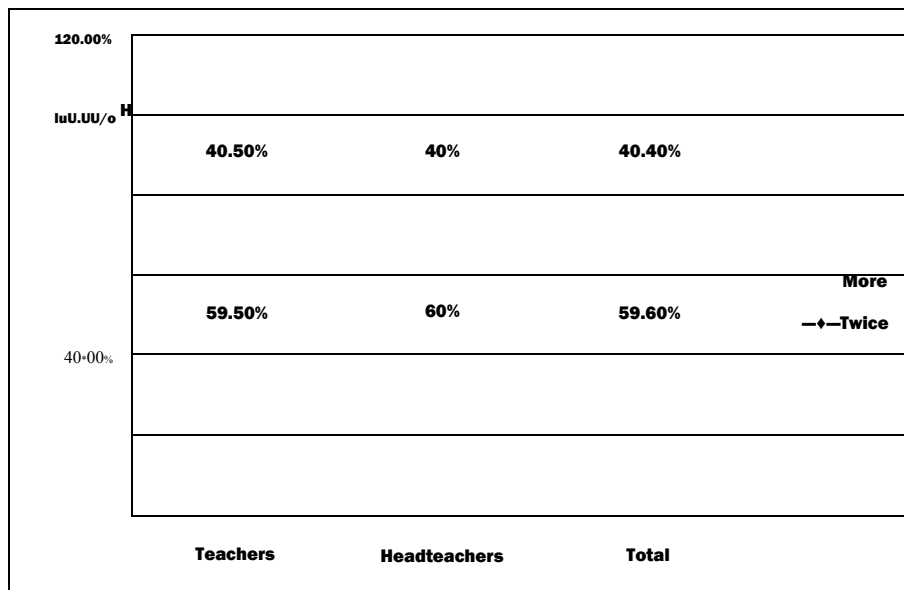
Table 4.16

Supervision

	Teachers	Headteachers	Total
Yes	37 (88.1%)	20 (95.2%)	57 (90.5%)
No	5(11.9%)	1 (4.8%)	6 (9.5%)
Total	42(100%)	21 (100%)	63(100%)

Fig. 4.6

Number of Times Circuit Supervisors Visit Schools



4.4.0 PARENTS/GUARDIANS

The state provides the input resources such as the physical structures, textbooks and teachers. The educator combines professional conduct with the resource inputs to ensure the promotion of the child's right to education. Without the support of parents/guardians the attempt to make the child enjoy his/her right to education will be very difficult to realize. To get the desired quality of education therefore, the effort of the state and the educator must be complemented by the parent/guardian by ensuring that wards attend school regularly and punctually, that they provide them with the basic necessities that are relevant to the promotion of quality education. Parents are therefore obliged in accordance with Article 7 (1) and Article 18 (1) of the CRC, and Section 6 (3) of the Children's Act, 1998.

Since children must necessarily live with an adult, investigation into this matter revealed that majority (46.0%) of the pupils live both parents, one-third (33.3%) of the pupils live with single parent and 20.6% live with other relatives. This is an indication that majority of the pupils in the rural areas of the municipality do not live with both parents (53.9%). Irrespective of who the child lives with, they are legally responsible for the care of the child by providing the child with the necessities of education, ensuring that the child is regular at school and punctual to school, and creating conducive environment to support learning at home.

4.4.1 Provision of Food

Food helps the child in education by ensuring mental development as well as making the child healthy and therefore be able to go to school regularly. It also increases concentration as a hungry child will be thinking of what to eat after school. Valid responses from pupils revealed that out of 63 respondents, 48 representing 76.2% affirmed that their guardians provide them with enough food. 23.8% said their guardians do not provide them with enough food. This is an indication that majority of parents in the rural areas of the municipality have abided by the rule on the right of the child to adequate diet in Section 8 of the Children's Act. However the few parents who have not adhered to the rule place this duty on their wards to find other ways of supplementing their food requirements which is likely to be detrimental to their education or become malnourished with its attendant negative effect on educational outcome.

4.4.2 Provision of Educational Necessities

Apart from the provision of food, the provision of educational necessities such as stationery, and school uniform including footwear is the responsibility of parents/guardians. Views collected indicated the following. Pupil responses disclosed that even though most parents (84.1%) are willing to provide the materials, many (31.7%) of them do not provide the materials forcing these children to provide these materials by themselves. Parent responses also revealed that almost all of them (97.6%) provide the materials but only few of them (39.0%) provide all the necessities. Majority of them (61.0%) provide just some. This situation like the above forces the child to provide these materials by himself/herself. Responses from teachers and headteachers showed that most

of the parents (more than 80.0%) do not provide these materials. This they know because most pupils do not have the materials thereby making teachers' work of promoting the child's right to education difficult. The inability of these parents/guardians to provide the necessities of education may be from the fact that most of them are poor (see table 4.7) and that they have more dependants (see table 4.8). These parents/guardians (in the case of the women) are however able to afford to buy cloth and sew to attend funerals instead of using such monies to fund their wards education.

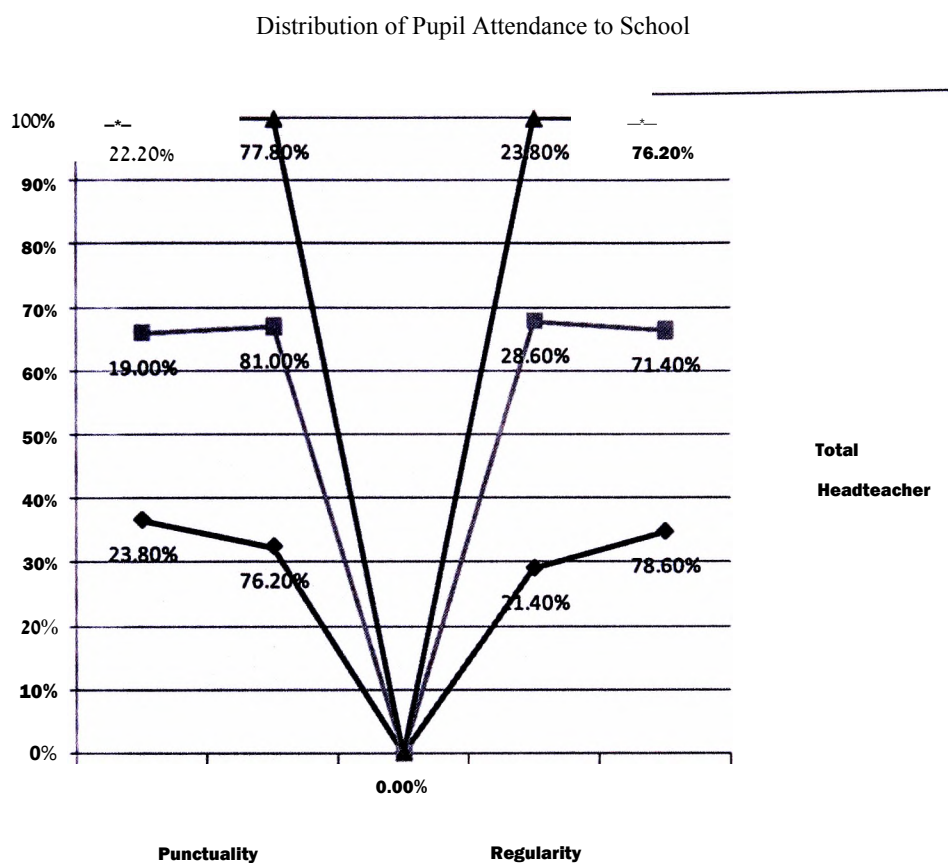
In order to acquire the materials, pupils responded that they either engage in farming (10.0%), work on others farms (60.0%), sell after school (10.0%), reduce their meagre pocket money (10.0%), or provided by other relatives if they are lucky (5.0%). Another 5.0% indicated that they do not buy at all. For those who do some form of work, they have to absent themselves to be able to do that. Observation revealed that in some of the communities/schools, pupils absent themselves every Wednesday to pick pepper. Apart from that, those who engage in work after school are not able to study at home or complete their homework. For those who reduce their pocket money, it means that their food requirements will be reduced thereby reducing concentration in class. This situation is not in the best interest of the child.

4.4.3: Pupil Regularity and Punctuality.

As much as teachers are required to be regular and punctual to school in the promotion of quality basic education so are pupils' regularity and punctuality very important. The parent is responsible for ensuring that the child goes to school every

school going day and very early too. Valid responses from teachers and headteachers show the following.

Fig. 4.7



The results show that most of the pupils in the rural areas are not regular and punctual. 49 responses representing 77.8% out of 63 and 48 responses representing 76.2% indicated that the pupils are not regular and punctual respectively. The situation is so because parents/guardians do not provide for their children. These pupils absent

themselves to get the educational materials and when this happens the parents lose control over their wards hence unable to ensure punctuality to school.

4.3.4: Helping Pupils with Homework.

Table 4.17

Distribution on Helping to Do Homework.

	Pupils	Parents	Teachers	Headteachers	Total
Yes	25 (39.7%)	25 (59.5%)	5 (12.8%)	2 (9.5%)	57 (34.5%)
No	38 (60.3%)	17(40.5%)	34 (87.2%)	19(90.5%)	108 (65.5%)
Total	63 (100%)	42(100%)	39(100%)	21 (100%)	165 (100%)

Homework as part of school exercises helps pupils to practice what has been taught at school and to get them to revise what they have learnt. As part of their responsibility, parents/guardians have to see to it that this homework is done. As shown in the table 4.17, it is clear from the responses of respondents that parents do not help their wards with their homework. Though close to three-fifths (59.5%) of the parents/guardians said they help their wards, their own wards, teachers and headteachers countered their assertion. According to pupils, their parents do not help them because they are either illiterate, have busy schedules, or they (pupils) do not ask their parents to help for fear of being insulted. From the table on educational background it was revealed that only few (16.7%) of the parents are illiterates while most of them ended either at the basic level (64.3%) or second cycle level (19.0%). This shows that most parents/guardians have the intellectual capacity to help their wards with their homework unless the quality of

education they received is also poor because the stake-holders did not do much to promote their right to education when they were children.

Not only do parents/guardians not help their wards with their homework, but many parents also engage these children in works that prevent them from studying at home. 26 out of 63 pupils, representing 41.3 % of valid response said they are engaged in work by their parents/guardians after school that prevent them from studying. These pupils claim that they either finish late, or become tired and feel sleepy and so are not able to study. Valid responses indicated 9.1% and 86.4% for the claims respectively. A few (4.5%) stated that it leads to absenteeism. This is because they are not able to complete their homework and coupled with the fear of being caned they decide not go to school at all. This situation also falls short of Sections 12 and 87 of the Children's Act. This is also not in the interest of the child's right to education.

4.5 CONCLUSION

The state, the educator and the parent/guardian are the key stake-holders in the education of the rural child in Akuapem South Municipality. They are all legally obliged to ensure that the child enjoys this right to education by both creating access and ensuring good quality. The state is responsible for the provision of physical infrastructure, educational materials such as textbooks and teachers. The educator is responsible for ensuring that the child is taught and that certain acts of the educator do not interfere with the child's education but rather create conducive atmosphere for learning in the school. The parent/guardian is responsible for the provision of basic necessities that aid in his/her education as well as create conducive environment for studies at home. Analysed data

gathered from respondents and personal observation revealed that though the stakeholders have made efforts to promote the right of the rural child to education, they have not given much attention to the promotion of the right. This has therefore led to poor standard of education in public basic schools in the rural areas of Akuapem South Municipality.

NOTES

¹ As cited in Ransford Edward Gyampo, The Commission on Human Rights and Administrative Justice and Access to Human Rights in the Mfatseman District, (Unpublished MPhil Thesis University of Ghana, June 2004), p. 78.

² Convention On The Rights Of The Child, Article 28; African Charter On The Rights And Welfare Of The Child, Article 11.

³ Republic Of Ghana, Constitution, (1992).

⁴ Joseph Ghartey Ampiah, "An Investigation of Provision of Quality Basic Education in Ghana; A Case Study of Selected Schools in the Central Region", in Journal of International of Cooperation in Education. Vol. 11 No. 3 (CICE Hiroshima University, 2008). p. 31-33.

⁵ Ibid, p. 25.

⁶ J. Parker (2004) cited in Joseph Ghartey Ampiah Op. Cit p. 24.

⁷ GES & GNAT, Condition And Scheme Of Service And The Code Of Conduct For Teachers, (Accra, 2000), Para 4, p. 63.

⁸ Ibid, para 9, p. 66.

⁹ Ibid.

¹⁰ Myra Pollack Sadker & David Miller Sadker, Teachers. Schools. And Society. 2nd Ed., (McGraw-Hill, Inc.: New York, 1991), p. 74.

"United Nations, Convention on Rights of the Child, Article 37a.

¹² Republic of Ghana, Children's Act, 1998, Section 13.

¹³ Ghana Education Service, Headteachers' Handbook, (Ministry of Education: Accra, 1994), pp. 257-262.

¹⁴ GES & GNAT, Op. cit, para 19, p. 69.

¹⁵ Republic of Ghana, Education Act, 2008, Section 8(4).

¹⁶ Interview with Mrs Augusta Ntow Osaabo, Assistant Director (Supervision). Municipal Education Office, Nsawam, 7^h May. 2010.

CHAPTER FIVE

SUMMARY OF FINDINGS, CONCLUSIONS AND RECOMMENDATIONS.

5.0 INTRODUCTION

The study was carried out with the intention of finding out if stake-holders have done enough to promote the educational right of the rural child in Akuapem South Municipality under the hypothesis that, the inability of stake-holders to give much attention to the promotion of the educational right of the rural child has led to the poor standard of education in the rural areas of Akuapem South Municipality. The chapter summarises the main findings of the study, draws conclusion and offers some recommendations which will help address the problem of ensuring quality education.

5.1 SUMMARY OF FINDINGS

From the analysis in the preceding chapters) these are the summary of findings.

The right of the child to education is recognized by the legal system of Ghana. This obliges stake-holders to ensure its realization to the fullest. First, the study showed that though more schools in the rural areas of the municipality have good school buildings, there are still some schools with dilapidated buildings while some schools still have their lessons under sheds. These dilapidated buildings affect the child in trying to pursue his right to education as rains disrupts classes. Apart from that, some school buildings may look good on the outside but the classrooms are too small and so get hot in the afternoon. Pupils' concentration becomes less.

Second, majority of the pupils do not have access to library facilities because the schools and communities do not have libraries. Close to half of the rural schools in the municipality do not have sanitation facilities. There is inadequate supply of textbooks especially for the four core subjects in the rural schools of the municipality. The few textbooks that are available are collected from pupils after lessons. The inadequacy of these resource inputs deprives the rural child from enjoying his/her right to education to the fullest.

Third, contrary to views that rural schools lack adequate number of teachers, there are many teachers in the rural areas of this municipality. PTR in the rural areas of the municipality is less than the national PTR. Some schools have as many as twelve teachers at the primary level and ten teachers at the JHS level. In addition there are quite a number of professional teachers, majority of whom have diploma and degree qualifications. This is as a result of the sponsorship given to teacher trainees by the municipality. The sponsorship scheme ensures that these teacher trainees come back to serve the deprived areas of the municipality. The problem is that there are more non-professionals in these areas. Most of the schools do not have bangalows for teachers and the few that are available are not able to house all the teachers in the beneficiary schools.

Fourth, Most of the rural schools do not benefit from the GSFP. Only two rural schools are beneficiaries - Darmang Presby Primary and Ahwerase Presby Primary. The programme is concentrated in the urban schools. As a pro-poor programme it is more beneficial to the rural area than the urban because the rural area is where most children suffer from malnutrition which have adverse effect on educational achievement. Not only does the concentration of the programme in the urban area defeat the purpose for which

the programme was introduced but also the inability of the state to include more rural schools does not help to promote the rural child's right to education. In addition, the programme is limited to the kindergarten and primary with the exclusion of the JHS.

On the part of the educator, first, most of the teachers live in the villages/towns where they teach. This is an indication that if the government should help with bangalows it will go a long way to boost the morale of the teachers. The few who commute to school from Nsawam gave lack of adequate accommodation as the reason.

Second, while the urban schools report a day before the reopening day to clean up and get ready for class on the official reopening day, the rural schools report on the day of reopening and the whole week is used to clean up. Apart from that, most teachers are not regular at school and punctual to school. Teachers are therefore not able to complete the syllabus and so pupils are not able to acquire the desired skills (literacy and numeracy). This situation violates the full enjoyment of the rural child's right to education.

Thirdly, the study found that most of the teachers do no additional work apart from the teaching. They must therefore have much attention for their profession. On the contrary, because more than two-thirds of the teachers are pursuing further studies while they are still at post, they give much attention to their personal development at the expense of the child's development.

Fourth, the study however found that teachers set adequate number of exercises and mark them promptly. This helps both the teacher and the pupil to know their flaws and correct them thereby ensuring that the right to quality education is promoted.



Fifth, in spite of the introduction of the capitation grant, teachers in the rural schools still engage pupils in jobs during class hours. The collection and carrying of stones, blocks and firewood for some members of the community are some of the jobs. These jobs are done to raise fund to support school activities such as sports. Some teachers also ask their pupils to fetch water for them during class hours. Almost all the rural schools in the municipality still collect printing fees from pupils and those who default are not allowed to write terminal examinations. This illegal act is a grave affront to the rural child.

In addition, caning is still used as the main form of punishment in the schools in spite of the rules on punishing pupils. This means that teachers have intentionally ignored the rules or are oblivious of the rules. The conduct of the teachers can be controlled if supervision is intensified. It was however found that circuit supervisors do visit but not regularly and when they do, real supervision and reprimand/praise is not done.

As regards parents and guardians, the studies found that first, majority of the pupils in the rural basic schools of the municipality do not live with both parents. They either live with other relatives or family friends. These people are the legal guardians of the children. Furthermore, parents/guardians have shirked their responsibility of caring for their wards and so have lost control over their wards. This prevents parents from ensuring that their wards go to school always and punctual. Pupils are therefore not regular and punctual to school.

In addition to the above, though majority of the pupils have their right to food promoted by their parents/guardians as much as 24% of the pupils have this right

violated. These children therefore have to leave school to pursue this right themselves. In other words, the violation of the right of the child to adequate food by parents/guardians results in the violation of the right of the child to quality education.

Lastly, the study also revealed that as regards the provision of educational necessities majority of the parents do not provide for their wards. Pupils go to school without the materials and sit idle during practice time. Pupils therefore have to do some form of work to raise money for these necessities. They either miss school to do such work or do the work after school and so have no time for private studies. Apart from this, parents/guardians do not help pupils to do their homework.

5.2 CONCLUSIONS

The right of the child to education is recognised by the laws/legal system of Ghana. This obliges stake-holders to ensure its realization to the fullest. The quality of education in public basic schools in the rural areas of Akuapem south Municipality is appalling. It is the legal responsibility of the state, the educator and the parent/guardian to promote this right. The state is responsible for the provision of adequate educational facilities, teaching and learning materials (textbooks), and qualified and competent educators (teachers and supervisors). The educator is responsible for ensuring that the child is educated. The parent/guardian is responsible for the provision of educational necessities and creating conducive environment at home for studies.

It is obvious from the findings that the stake-holders by their actions have not done enough to promote the right of the rural child to education. Though there are enough teachers in the rural schools of the municipality, this alone is not enough to promote the

right of the rural child to education to the fullest. Full adherence to the rules that oblige all the three key stake-holders as contained in both international and domestic legal documents is necessary.

5.3 RECOMMENDATIONS

The state is to be commended for the introduction of the Capitation Grant, GSFP and the ECE to improve access to basic education and quality basic education. However, in view of the findings there is the need for further interventions to show commitment to the promotion of quality basic education as a fundamental human right for the rural child. The following recommendations are therefore made.

One, the Ghana Library Board must endeavour to establish libraries in various communities to serve several communities in the catchment area as has been done at Obodan (which serves communities such as Fotobi, Akwakupom and Obodan).

Two, the GSFP, which has been concentrated in the urban areas of the municipality should be moved or expanded to the rural areas where it is needed most. This will make parents save money to be able to buy educational materials for their wards. It will encourage those children who are not regular to school because they want to get educational materials to be regular. It will also encourage pupils who are not fed properly at home to be regular.

Three, the state should expand its policy of free school uniform and exercise books to the rural areas of the municipality. This will help reduce the number of children who would have to be absent from school just to work to get these educational materials. It will also relieve poor parents who genuinely are not able to afford these materials.

Four, the state should implement its policy of giving incentive packages to teachers in deprived areas such as the 20% of their basic salary as inducive allowance; free accommodation, and study leave with pay after two years of initial service. The government should also look at the general conditions of service of teachers. Supervision allowance should be adjusted upward.

Five. GES should institute a rule that mandates all rural schools in the country to report and clean up a day before the reopening day. This will help save the time wasted to clean up during official reopening day. Circuit supervisors must be empowered financially to visit regularly. Once a while the Municipal Director of Education must make surprise visits to the schools in the rural areas. This will put the teachers on their toes.

Six, Human rights education must be intensified. Teachers should be taken through human rights courses at the colleges and be taught on international and national human rights instruments on the child. This will make them do things to promote the rights of the children under their care. Parents need to have clear understanding of the essence of education to the individual as well as to the larger society. NCCE and CHRAJ should make it a point to go to the villages to educate citizens on the rights of the child and the legal obligation of parents/guardians towards the promotion and protection of the rights of the child especially right to education. The children also need this education. Apart from infusing human rights topics into the curricula of basic school, it should be made mandatory for every school to establish a human rights club.

Eight, though it is the duty of parents to show much interest in their wards education, teachers should encourage parents to visit the schools by visiting the parents in the homes.

Finally, the whole issue is about rule implementation. The rules regarding the promotion of the child's right to education have been formulated but the enforcement is the problem. According to the theory underpinning this study, the right of the child to education is recognized by law and so enforceable. Effective sanctions should therefore be taken against those whose actions violate the best interest of the child in accordance with the provisions of Section 15 of the Children's Act and the Bye-laws on the Control of Children in the municipality without fear or favour. Money must be deducted from the salaries of teachers who absent themselves habitually.

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APPENDIX "A"

DEPARTMENT OF POLITICAL SCIENCE

UNIVERSITY OF GHANA

MPHIL SURVEY RESEARCH PROJECT

HUMAN RIGHTS AND PUBLIC BASIC EDUCATION IN GHANA: THE CASE OF THE RURAL CHILD IN AKUAPEM SOUTH MUNICIPALITY.

Dear Respondent,

This is a survey being conducted by an MPhil Part II student to find out the views of basic school pupils in Akuapem South Municipality on whether stake-holders in education have done enough to promote the rural child's right to (basic) education. It is an MPhil Part II project intended to add to the state of knowledge on children's rights in Ghana. You were randomly selected in your school and your name is not required. The views expressed shall not be used against you. Thank you for agreeing to answer these questions. You are to circle your response. Choose only one answer.

QDD Number.....

Background

- B1 Gender 1. Male 2. Female
- B2 Age 1.6-9 2.10-13 3.14-17 4.18+
- B3 Class 1. Basic 1-3 2. Basic 4-6 3. Basic 7-9
- B4 Religion 1. Christianity 2. ATR 3. Islam 4. Other.....

The State

- Q1. Does your school have a good school building? 1. Yes 2. No
- Q1b. If no, does that affect your right to education? 1. Yes 2. No
- Q1c. If yes, how?.....
- Q2. Does your school have enough textbooks for all the subjects taught in your school?
1. Yes 2. No
- Q2b. Does each child have copies for each of the core subjects? 1. Yes 2. No
- Q3. Does your school have a library? 1. Yes 2. No

Q3b. If yes, are there enough story books for pupils to use during library period?

1. Yes 2. No

Q4. Does your school have enough teachers? 1. Yes 2. No

Q4b. How many teachers are in your school? 1. Less than 3 2. 3-5 3. 6-8
4. 9+

Q5. Do you pay school fees? 1. Yes 2. No

Q6. Does your school benefit from the School Feeding Programme? 1. Yes 2. No

Q6b. If no, would you like the programme introduced in your school? 1. Yes 2. No

Q6c. Do you think the introduction of the programme will help promote your right to education?

1. Yes 2.No

Q6d. If yes, how?.....

Q7. Does your school have toilet and urinal facilities? 1. Yes 2. No

Q7b. If yes, what is the condition of the facilities?

1. Very good 2. Good 3. Bad 4. Very bad

Q7c. If no, does it affect your learning? 1. Yes 2. No

Q7d. If you responded yes to Q6c, how?.....

The Parent

Q8. Who do you live with? 1. Both parents 2. Father only

3. Mother only 4. Other.....

Q9. Do your parent(s)/guardian provide you with enough food? 1. Yes 2. No

Q10. Are your parent(s)/guardian willing to buy educational material for you when needed?

1. Yes 2. No

Q 10b. If yes, does he/she provide the materials? 1. Yes 2. No

Q10c. If your answer to Q10 is no, how do you get these materials?.....

Q11. Do your parent(s)/guardian help you with your homework? 1.Yes 2. No

Q11b. If no. why?.....

Q12. Do your parent(s)/guardian(s) engage you in any work after school that is likely to prevent you from studying? 1. Yes 2. No

Q12b. Does it affect your right to education? 1.Yes 2. No

Q12c. If yes, explain.....

Q13. How would you rate the interest your parent(s)/guardian(s) has/have towards your education.

- 1. Very much interest 2. Much interest 3. Some interest 4. No interest

The Educator

Q14. Are your teachers regular at school? 1. Yes 2. No

Q15. Are your teachers punctual to school? 1. Yes 2. No

Q16. Do your teachers teach when they are supposed to teach? 1. Yes 2. No

Q17. Do your teachers give you enough exercises? 1. Yes 2. No

Q17b. Do they mark the exercises promptly? 1. Yes 2. No

Q18. If you answered yes to Q2b, do your teachers give the textbooks out? 1. Yes
2. No

Q18b. If no. what do they do with the textbooks?

- 1. Lock the textbooks in the cupboard 2. Take the textbooks home

Q19. Do your teachers punishment you when you do the wrong thing? 1. Yes 2.
No

Q19b. What sort of punishment do you give?

- 1. Insult 2. Caning. 3. Weeding 4. Other.....

Q 19c. Does the punishment affect your right to education? 1.Yes 2. No

Q19d. How does the punishment affect your education?.....

Q20. Do your teachers ask you to do any other work aside from school activities during school hours? 1.Yes 2.No

Q20b. If yes, what type of work?

- 1. Carrying stones/blocks 2. Carrying firewood
- 3. Fetching water 4. Other.....

Q20c. Do these activities affect your right to education? 1. Yes 2. No

Q20d. If yes, explain.....

Q21. Are you asked to pay examination fees at the end of the term by your teachers?

- 1.Yes 2. No

Q21b. Do you pay any other monies? 1. Yes 2. No

Q21c. What happens when you fail to pay such monies? 1. Caned 2. Sacked

Q21d. Does this action affect your education? 1. Yes 2. No

Q21e. If yes, how?.....

APPENDIX "B"

DEPARTMENT OF POLITICAL SCIENCE

UNIVERSITY OF GHANA

MPHIL SURVEY RESEARCH PROJECT

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QID Number.....

Background

B1 Gender 1.Male 2. Female

B2 Age 1.20-29 2.30-39 3.40-49 4.50

B3 Academic Qualification 1.MSLC 2. SSSCE 2. DIP 3. DEG

B4 Professional Qualification 1. Non-professional 2. Professional

B5 Level Taught 1. Kindergarten 2. Primary 3. J.H.S.

B6 Class/Subject Taught.....

The state

Q1. Does your school have a good school building? 1.Yes 2. No

Q1b. If no, does that affect teaching? 1. Yes 2. No

Q1c. If yes, how?.....

Q2. Does your school have enough textbooks for all the subjects taught in your school?

1. Yes 2. No

Q2b. Does each child have copies for each of the core subjects? 1. Yes 2. No

Q3. Does your school have a library? 1. Yes 2. No

Q3b. If yes, are there enough story books for pupils to use during library period? 1. Yes
2. No

Q4. How many teachers are in your school? 1. Less than 3 2. 3-5 3. 6-8 4.
9+

Q4b. In your view, do you think there are enough teachers for effective teaching and learning in the school? 1. Yes 2. No

Q5. Does your institution have bungalows for the teachers? 1. Yes 2. No

Q5b. If yes, are all the teachers housed in the bungalows? 1. Yes 2. No

Q6. Does your school benefit from the School Feeding Programme? 1. Yes 2.
No

Q6b. If no, would you like the programme introduced in your school? 1. Yes 2.
No

Q6c. If yes, why?.....

Q7. Does your school have sanitation (toilet and urinal) facilities? 1. Yes 2. No

Q7b. If yes, what is the condition of the facilities?

1. Very good 2. Good 3. Bad 4. Very bad

Q7c. If no, does it affect teaching? 1. Yes 2. No

Q7d. If you responded yes to Q7c, how?.....

The Parent

Q8. In your view, do parents/guardians help pupils to acquire the necessities of education?

1. Yes 2. No

Q8b. How do you know?.....

Q9. Do you think parents/guardians help pupils at home when they are given homework?

1. Yes 2. No

Q10. Do pupils come to school regularly? 1. Yes 2. No

Q11. Are the pupils punctual to school? 1. Yes 2. No

Q12. Do parents attend PTA meetings when organised? 1. Yes 2. No

Q13. Do parents visit the school on their own volition? 1. Yes 2. No

Q13b. Would you like it if parents regularly visit the school? 1. Yes 2. No

Q13c. If yes, why?.....

Q14. What is the reaction of parents/guardians when wards are punished?

1. Come to ask why 2. Come to attack the teachers 3. Other.....

The Educator

Q15. Do you live in the village/town where you teach? 1. Yes 2. No

Q15b. If yes, how long does it take from your residence to your school?

1. 1-15 minutes 2. 16 - 30 minutes 3. 31-45 minutes 4. 46 - 60

minutes

Q15c. If no, give reason (choose only one)

- 1. Lack of adequate accommodation
- 2. Unsafe drinking water,
- 3. Lack of electricity,
- 4. Poor health conditions
- 5. Lack of personal development opportunities
- 6. Other

Q15d. Where then do you live?.....

Q15e. What means of transport do you use to get school?

1. Foot 2. Public transport 3. Private transport

Q16. Do you do any other work in addition to the teaching? 1. Yes 2. No

Q16b. If yes, specify.....

Q16c. Why do you do this other work?.....

Q17. Are you pursuing any academic/professional programme? 1. Yes 2. No

Q17b. If yes, specify.....

1.Yes 2. No

Q10. Do pupils come to school regularly? 1.Yes 2. No

Q11. Are the pupils punctual to school? 1. Yes 2. No

Q12. Do parents attend PTA meetings when organised? 1. Yes 2. No

Q13. Do parents visit the school on their own volition? 1.Yes 2. No

Q13b. Would you like it if parents regularly visit the school? 1. Yes 2. No

Q13c. If yes, why?.....

Q14. What is the reaction of parents/guardians when wards are punished?

1. Come to ask why 2. Come to attack the teachers 3. Other.....

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1. 1 - 15 minutes 2. 16-30 minutes 3. 31-45 minutes 4. 46-60

minutes

Q15c. If no, give reason (choose only one)

- 1. Lack of adequate accommodation
- 2. Unsafe drinking water,
- 3. Lack of electricity,
- 4. Poor health conditions
- 5. Lack of personal development opportunities
- 6. Other

Q15d. Where then do you live?.....

Q15e. What means of transport do you use to get school?

1. Foot 2. Public transport 3. Private transport

Q16. Do you do any other work in addition to the teaching? 1. Yes 2. No

Q16b. If yes, specify.....

Q16c. Why do you do this other work?.....

Q17. Are you pursuing any academic/professional programme? 1.Yes 2. No

Q17b. If yes, specify.....

Q18. When do most teachers normally report for duty when school re-opens?

1. On the first day 2. Within the first week 3. During the second week

Q19. Are teachers in your school regular? 1. Yes 2. No

Q20. Are teachers in your school punctual? 1. Yes 2. No

Q21. Do you think teachers in your school give the pupils enough exercises? 1. Yes
2. No

Q21 b. Do they mark the exercises promptly? 1. Yes 2. No

Q22. Does the school give the textbooks to the pupils to send home? 1. Yes 2.
No

Q22b. If no, why?.....

Q23. Does the school charge any other fees such as examination fees? 1. Yes 2
.No

Q24. Does your school punish the pupils when they go wrong? 1. Yes 2. No

Q24b. What sort of punishment do you give?

1. Insult 2. Caning. 3. Weeding 4. Other

Q25. Does your school engage the pupils in work to raise funds to support school
activities?

1. Yes 2. No

Q25b. What type of work do you engage the pupils in?

1. Carrying stones/blocks 2. Carrying firewood 3. Other.....

Q26. Does the circuit supervisor visit your school regularly? 1. Yes 2. No

Q26b. If yes, how many times does he or she visit the school within the term?

1. Once 2. Twice 3. More

APPENDIX “C”

DEPARTMENT OF POLITICAL SCIENCE

UNIVERSITY OF GHANA

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QID Number.....

Background

- B1 Gender 1. Male 2. Female
- B2 Age 1. Below 20 2. 20 - 29 3. 30 - 39 4. Above39
- B3 Religion 1. Christianity 2. ATR 3. Islam 4. Other.....
- B4 Occupation 1. Farming 2. Trading 3. Other.....
- B5 Income (per annum) 1. Less than GH0100 2. GH0100 +
- B6 Marital Status 1. Married 2. Single
- B7 Number of dependents 1. Below 3 2. 3 - 5 3. Above 5
- B8 Academic Background 1. Tertiary 2. Sen. Sec 3. Basic 4. Non

The State

Q1. Does your ward’s school have a good school building? 1. Yes 2. No 3. Don’t know

Q2. Do you think your ward's school has enough teachers? 1. Yes 2. No 3. Don't know

Q3. Do the teachers have bungalows? 1. Yes 2. No 3. Don't know

Q4. Do you pay school fees? 1. Yes 2. No

Q5. Are the children fed at school? 1. Yes 2. No

Q6. Does your ward's school have sanitation (toilet and urinal) facilities? 1. Yes 2. No

Q6b. If yes, what is the condition of the facilities?

1. Very good 2. Good 3. Bad 4. Very bad

Q7. Are there any library facilities in the community? 1. Yes 2. No

Q7b. If yes, are there enough books in the library? 1. Yes 2. No 3. Don't know

Q7c. If yes to Q6b, do the children patronise the library? 1. Yes 2. No

The Educator

Q8. Are the teachers of the school regular? 1. Yes 2. No 3. Don't know

Q9. Are the teachers punctual to school? 1. Yes 2. No 3. Don't know

Q10. In your view, do teachers give enough homework to the pupils?

1. Yes 2. No 3. Don't know

Q11. Does the school give the textbooks to the pupils to bring home?

1. Yes 2. No 3. Don't know

Q12. Does the school ask you to pay some other monies such as examination fees?

1. Yes 2. No

Q12b. Do you pay such fees? 1. Yes 2. No

Q12c. If yes, why do you pay?.....

Q12d. What is your view on such charges?.....

Q13. In your view what sort of punishment does the school mete out to the pupils?

1. Insult 2. Caning. 3. Weeding 4. Other.....

Q13b. What can you say about the punishment that is meted out to the pupils?.....

Q14. Do teachers use the children to work during school hours? 1. Yes 2. No

Q 14b. If yes. what type of work?

1. Carrying stones/blocks 2. Carrying firewood

3. Fetching water 4. Other.....

Q15. Does the school organise PTA meetings regularly? 1.Yes 2. No

The Parent

Q16. Do you give the child enough food? 1. Yes 2. No

Q17. Do you provide for your ward the necessities of education when he/she needs them?

1.Yes 2. No

Q17b. If yes, how much do you provide? 1. All 2. Most 3. Few

Q17c. If no, how does your ward get his/her educational materials?.....

Q18. Do you help your ward with his or her homework? 1. Yes 2. No

Q19. Do you visit the school on your own to acquaint yourself with the situation on the ground?

1.Yes 2. No

Q20. If you answered yes to Q15, do you attend the PTA meetings regularly? 1. Yes
2. No

Q20b. If no, why?.....

Q21. How do you react towards the teachers when your ward is punished by the school?

1. Go to ask why 2. Attack the teachers

APPENDIX "D"

DEPARTMENT OF POLITICAL SCIENCE

UNIVERSITY OF GHANA

MPHIL SURVEY RESEARCH PROJECT

HUMAN RIGHTS AND PUBLIC BASIC EDUCATION IN GHANA: THE CASE
OF THE RURAL CHLID IN AKUAPEM SOUTH MUNICIPALITY.

Dear Respondent

This is a survey being conducted an MPhil Part II student to find out the views of Heads of Basic Schools in Akuapem South Municipality on whether stake-holders on education have done enough to promote the rural child's right to (basic) education. It is an MPhil Part II project intended to add to the state of knowledge on children's right in Ghana. You were purposely selected in your school and your name is not required. The views expressed shall not be used against you. Thank you for agreeing to answer these questions. You are to circle your response. Choose only one answer.

QID Number.....

Background

B1 Gender 1.Male 2. Female

B2 Age 1.20-29 2.30-39 3.40-49 4.50

B3 Academic Qualification 1.SSSCE 2. DIP 3. DEG

B4 Professional Qualification 1. Non-professional 2. Professional

The state

Q1. Does your school have a good school building? 1. Yes 2. No

Q1b. If no, does that affect teaching and learning? 1. Yes 2. No

Q1c. If yes, how?.....

Q2. Does your school have enough textbooks for all the subjects taught in your school?

1.Yes 2. No

Q2b. Does each child have copies for each of the core subjects? 1. Yes 2. No

Q3. Does your school have library? 1. Yes 2. No

Q3b. If yes, are there enough story books for pupils to use during library period?

1. Yes 2. No

Q4. How many teachers are in your school? 1. Less than 5 2. 5 - 9 3. 10+

Q4b. How many are professionals? 1. All 2. Most 3. Few 4. Non

Q4c. How many are non professionals? 1. All 2. Most 3. Few 4. Non

Q4d. In your view, do you think there are enough teachers for effective running of the school?

1. Yes 2. No

Q5. Does your institution have bungalows for the teachers? 1. Yes 2. No

Q5b. If yes, are all the teachers housed in the bungalows? 1. Yes 2. No

Q6. Does your school benefit from the School Feeding Programme? 1. Yes 2. No

Q6b. If no, would you like the programme introduced in your school? 1. Yes 2. No

Q6c. If yes, why?.....

Q7. Does your school have sanitation (toilet and urinal) facilities? 1. Yes 2. No

Q7b. If yes, what is the condition of the facilities?

1. Very good 2. Good 3. Bad 4. Very bad

Q7c. If no, does it affect your teaching and learning? 1. Yes 2. No

Q7d. If you responded yes to Q7c, how?.....

The Parent

Q8. In your view, do parents/guardian(s) help pupils to acquire the necessities of education?

1. Yes 2. No

Q8b. How do you know?.....

Q9. Do you think parents/guardians help pupils at home when they are given homework?

1. Yes 2. No

- Q10. Do pupils come to school regularly? 1. Yes 2. No
- Q11. Are the pupils punctual to school? 1. Yes 2. No
- Q12. Do parents attend PTA meetings when organised? 1. Yes 2. No
- Q13. Do parents visit the school on their own volition? 1. Yes 2. No
- Q13b. Would you like it if parents regularly visit the school? 1. Yes 2. No
- Q 13c. If yes, why?.....
- Q14. What is the reaction of parents/guardians when wards are punished?
1. Come to ask why 2. Come to attack the teachers 3. Other.....

The Educator

- Q15. Are teachers in your school pursuing any academic/professional programme?
1. Yes 2. No
- Q15b. if yes, how many teachers are involved? 1. A few 2. More 3. All
- Q16. When do your teachers normally report for duty when school re-opens?
1. On the first day 2. Within the first week 3. During the second week and beyond
- Q17. Are your teachers punctual to school? 1. Yes 2. No
- Q18. Are your teachers regular at school? 1. Yes 2. No
- Q19. Do your teachers prepare their lesson notes? 1. Yes 2. No
- Q19b. If yes, do they present the notes early for vetting? 1. Yes 2. No
- Q20. Do you think your teachers give the pupils enough exercises? 1. Yes 2. No
- Q20b. Do they mark the exercises promptly? 1. Yes 2. No
- Q21. Does the school give the textbooks to the pupils to send home? 1. Yes 2. No
- Q21b. If no, why?.....
- Q22. Does the school charge any other fees such as examination fees? 1. Yes 2. No
- Q23. Does your school punish the pupils when they go wrong? 1. Yes 2. No

Q23b. What sort of punishment do you give?

1. Insult 2. Caning. 3. Weeding 4. Other.....

Q24. Does your school engage the pupils in work to raise funds to support school activities?

1. Yes 2. No

Q24b. What type of work do you engage the pupils in?

1. Carrying stones/blocks 2. Carrying firewood 3. Other.....

Q25. Does the circuit supervisor visit your school regularly? 1. Yes 2. No

Q25b. If yes, how many times does he or she visit the school within the term?

1. Once 2. Twice 3. More