THE RIGHT TO EDUCATION AND ONLINE LEARNING IN HIGHER EDUCATION INSTITUTIONS IN NIGERIA DURING THE COVID-19 LOCKDOWN: PROSPECTS AND CHALLENGES

Abstract

In the wake of the coronavirus pandemic and the imposition of lockdowns by governments, institutions of learning around the world adopted online learning as the preferred mode of instruction while the lockdowns persisted. This experience exposed the digital divide and further widened the gap between the privileged and non-privileged in terms of access to education. The right to education has been interpreted to encompass equality and non-discrimination. This study investigates the adoption of online learning in the context of equal and non-discriminatory access to education. It explores how the adoption of online learning could aid the realization of the right to education in a pandemic and other emergency situations; challenges associated with online learning in Nigeria and the impact of socio-economic status in enjoying the right to education. Roughly five to six months into the lockdown, an online questionnaire was distributed to Nigerian university students who were engaged in online learning. Respondents were drawn from both public (government-owned) and private universities. Responses were analysed by means of descriptive statistics including the use of frequency tables. The results showed a marked difference between students in private universities and students in public universities in several key areas including access to required technology, exposure to online education and length of time in online learning. The study further identified key challenges to online learning in Nigeria. The study provides evidence of disparities between students in private universities and students in public universities in terms of accessing education during the COVID-19 pandemic.

Keywords: coronavirus, online learning, right to education, Nigerian universities

1.1 Introduction

The coronavirus disease 2019 (COVID-19) was detected around Wuhan, China in December 2019 and was declared a global pandemic by the World Health Organization (WHO) on 11th March 2020.[1] By then it had spread to most countries of the world. As part of measures to contain the spread of the virus, Governments halted travel of non-citizens into their territories and imposed mandatory lockdowns. Educational institutions around the world were directed by their governments to shut down their premises and commence online learning. Thus, online learning became the dominant mode of instruction.

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[1] Domenico Cucinotta and Maurizio Vanelli, 'WHO Declares COVID-19 a Pandemic' (2020) 91(1) *Acta Biomed* 157–160. <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7569573/> accessed 14 May 2020.

The educational sector in Nigeria was hard hit by the COVID-19 pandemic with a corresponding threat to the right to education. In order to enforce social-distancing measures and curb the spread of the virus, the Federal Ministry of Education on 19 March 2020 ordered closure of all educational institutions in the country.[2] The result was that institutions of learning at primary, secondary and tertiary levels were among the first to be shut down by government directives. Many states saw schools shut down even before markets and places of worship.[3] Even in states where the lockdowns were not strictly enforced, all educational institutions were shut down. As the COVID-19 restrictions were eased and mandatory lockdowns lifted, educational institutions were among the last to be re-opened.[4]

The impact in the educational sector was significant: many educational institutions lost up to half of the overall school year.[5] The lockdowns and other restrictions made physical instruction impossible thereby necessitating a global shift to distance learning via online or virtual learning.[6] The Ministry of Education and regulatory bodies for higher education institutions in Nigeria in March 2020, having directed higher education institutions to shut down, later directed them to commence online learning.[7] The Council of Legal Education, the body charged with responsibility for the legal education of persons seeking admittance into

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[2] Anthony Nlebem, 'FG orders Closure of all Schools in Nigeria as Coronavirus Spreads' *Business Day* (Lagos, 19 March 2020) <https:// businessday.ng/coronavirus/article/fg-orders-closure-of-all-schools-in-nigeria-as-coronavirus-spreads/> accessed 14 May 2020.

[3] While some states suspended public gatherings, in several states there was no outright ban on places of worship, however restrictions were placed on gatherings of more than 50 persons. In most states, markets operated, subject to restrictions. T.A. Falaye, 'Impact of COVID-19 on the Church of God in Nigeria' [2020] 5(2) *Kampala International University Journal of Humanities* 319–330.

[4] Based on briefings and circulars by the Presidential Task Force, PTF on COVID-19, responsible for coordinating Nigeria's response to the pandemic. See Omeiza Ajayi et al, 'COVID-19: Churches, Mosques to Reopen as Schools Remain Shut' *The Vanguard* (Lagos, 2 June 2020) <https://www.vanguardngr.com/2020/06/covid-19-churches-mosques-to-reopen-as-schools-remain-shut/> accessed 14 May 2021; Kayode Oyero, 'COVID-19 Second Wave: Sanwo-Olu Shuts Down All Schools Till Further Notice' *Punch* (Lagos, 18 December 2020). <https://punchng.com/breaking-covid-19-second-wave-sanwo-olu-shuts-down-all-schools-till-further-notice/> accessed 14 May 2021.

[5] UNESCO, 'UNESCO Figures Show Two Thirds of an Academic Year Lost on Average Worldwide due to COVID-19 School Closures' (UNESCO Press Release, 25 January 2021) <https://en.unesco.org/news/unesco-figures-show-two-thirds-academic-year-lost-average-worldwide-due-covid-19-school> accessed 14 May 2021; UNICEF, 'COVID 19: Scale of Education Loss "Nearly Insurmountable", Warns UNICEF' (Press Release, 23 January 2022) <https://www.unicef.org/press-releases/ covid19-scale-education-loss-nearly-insurmountable-warns-unicef> accessed 30 January 2022.

[6] David John Lemay et al, 'Transition to Online Learning during the COVID-19 Pandemic' [2021] 4 *Computers in Human Behavior Reports*, 100130 <https://sciencedirect.com/science/article/pii/S2451958821000786> accessed 10 January 2022; Cathy Li and Farah Lalani, 'The COVID-19 Pandemic Has Changed Education Forever. This is How' (World Economic Forum, 29 April 2020) <https://weforum.org/agenda/2020/04/coronavirus-education-global-covid19-online-digital-learning/> accessed 12 November 2020.

[7] Editorial, 'COVID-19 and Exigency of Online Learning' *The Guardian* (Lagos, 27 April 2020); NUC, 'Management of the Corona Virus (COVID-19) Pandemic' NUC Bulletin, 9 March 2020. <https://nuc.edu.ng/2020/03> accessed 12 March 2021.

the legal profession,[8] which had hitherto discountenanced distance learning/online instruction,[9] now developed online platforms and modes of instructing its students and engaging with them while the lockdown lasted.[10] In Nigeria some states adopted the mass media outlets of television and radio for distance learning.[11]

The school closures and adoption of online/virtual learning has implications for the right to education and access to education at all levels. The adoption of online learning exposed the impact of the digital divide in access to qualitative education.[12] It also exposed the disparities between students in rural areas and those in urban areas; the privileged and the non-privileged in their ability to access education.[13] The low level of preparedness of educational institutions in Nigeria for online/virtual learning was also exposed.

Although the coronavirus restrictions have been relaxed in most jurisdictions and vaccines introduced, the incidence of subsequent waves of infection and the emergence of new variants have led to the re-imposition of lockdowns in several countries. These have necessitated the retention of online learning.

Many commentators are of the opinion that online learning has come to stay as a substitute or supplement to the traditional face to face mode of instruction.[14] In other words, online

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[8] Legal Education (Consolidation, etc.) Act, Chapter L10 LFN 2011, s 1(2).

[9] For many years, the Council of Legal Education refused graduates of Law of the National Open University of Nigeria (the premier distance learning University in the country) admission into the Nigerian Law School. This position was recently altered. See Joel Nkanta, 'Excitement as NOUN Graduates Receive Call-Up for Law School Admission' (*NOUN News*, 22 June 2021) <https://nounnews.noun.edu.ng/article/ excitement-noun-graduates-receive-call-law-school-admission> accessed 12 August 2021.

[10] Victor Okeke, 'Law School Education in Nigeria under COVID-19' (TheNigeriaLawyer, 8 September 2020) https://thenigerialawyer.com/law-school-education-in-nigeria-under-covid-19/ accessed 26 September 2021. A step by step guide for students of the Nigerian Law School (NLS) to connect to the NLS virtual class to continue their lectures online was provided at <https://www.nigerianlawschool.edu.ng> accessed 3 August 2020. See also Sylvester Udemezue, 'Nigerian Law School Program is not "Self-Taught"; but Teacher-Taught, Teacher-Driven in Line with Contemporary Benchmarks and International Best Practices' (TheNigeriaLawyer, 12 July 2021) <https://thenigerialawyer.com/nigerian-law-school-program-is-not-self-taught-but teacher-taught-teacher-driven-in-line-with-contemporary-benchmarks-and-international-best-practices> accessed 26 September 2021.

[11] Edikan Ukpong et al, 'Re-awakening of Educational Broadcasting in Nigeria during the Coronavirus Outbreak.' In*: Discourses on Communication and Media Studies in Contemporary Society* (Jos University Press 2022) 90-96.

[12] Klint Finley, 'When School Is Online, the Digital Divide Grows Greater,' (Wired, 9 April 2020) <www.wired.com/story/school-online-digital-divide-grows-greater/amp> accessed 23 August 2022.

[13] Ibid.

[14] David John Lemay et al, 'Transition to Online Learning during the COVID-19 Pandemic' [2021] 4 *Computers in Human Behavior Reports*, 100130 <https://sciencedirect.com/science/article/pii/S2451958821000786> accessed 10 January 2022; Cathy Li and Farah Lalani, 'The COVID-19 Pandemic Has Changed Education Forever. This is How' (World Economic Forum, 29 April 2020) <https://weforum.org/agenda/2020/04/coronavirus-education-global-covid19-online-digital-learning/> accessed 12 November 2020.   .

learning is included as part of the new normal. Where lockdowns are still in place, online learning is the dominant mode of learning. A hybrid of physical classes and online learning has been adopted in several institutions of learning that have resumed physical classes. This is partly in recognition of the current realities and the possibility of future pandemics. If indeed virtual learning is a new and growing norm, there is the need for policymakers, regulatory bodies and institutions of learning to ensure the enabling environment is in place to ensure expected outcomes of the learning process. In Nigeria online learning has been more pronounced in secondary schools and tertiary institutions of learning.

The adoption of online instruction came with its prospects and challenges. It further exposed infrastructural deficits in the Nigerian educational sector as well as the disparity between the rich and poor in their ability to access qualitative education at all levels. In that light, this article discusses findings from a COVID-era survey of students of higher education institutions in Nigeria who participated in online learning. The article explores how the adoption of online learning/virtual instruction aids in the realization of the right to education. What factors should be considered in utilizing online education as a viable mode of instruction that meets set objectives? What are some challenges associated with online learning in Nigeria and how can these challenges be addressed? The article also touches on some oft ignored but possible implications of online learning. Findings are relevant to policymakers and stakeholders in the higher education sector as well as those in the general field of education.

1.2 The Right to Education and the Law in Nigeria

No individual can attain his/her full potential in the absence of education hence the recognition of the right to education in international human rights law as well as in national legislation. The Universal Declaration of Human Rights (UDHR) 1948 proclaims that: "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit."[15]

By Article 13 of the International Covenant on Economic, Social and Cultural Rights 1966 (ICESCR)[16] the content of the right includes *inter alia*: free and compulsory primary

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[15] UDHR, article 26 (1).
[16] Ratified by Nigeria on 29 July 1993.

education; available and accessible secondary education (including technical and vocational education and training) made progressively free; equal access to higher education on the basis of capacity and by the progressive introduction of free education.[17]

The content of the right to education has been expounded by courts and treaty monitoring bodies. In interpreting right to education provisions, they have adopted the 4As framework which provides that education must be: *Available* in sufficient quantity; *Accessible* to everybody without discrimination; *Acceptable*, that is, the form and substance must be appropriate and of good quality; and *Adaptable*, so that it can adapt to the needs of changing societies and communities and respond to the needs of students.[18]

The Convention on the Rights of the Child[19] provides that:

1) State 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 and available free to all;
(b) encourage the development of different forms of secondary education, including general and, vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financing assistance in case of need;
(c) make higher education accessible to all on the basis of capacity by every appropriate means;
(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 dropout rates.[20]

The CRC has been domesticated as the Child's Right Act 2003 (CRA) in line with the requirement of section 12 of the 1999 Constitution. Section 15 CRA 2003 provides for the right to free, compulsory and universal primary education up to junior secondary level which the government is to provide. Every parent or guardian of a child has a duty to ensure that his/her child or ward attends and completes primary school education and junior secondary

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[17] Ibid, s 13 (2) (a - c).
[18] Committee on Economic, Social and Cultural Rights (CESCR). General Comment No. 13: The Right to Education (Art. 13 of the Covenant) (1999) (Adopted by the Committee on Economic, Social and Cultural Rights at the Twenty-first Session, E/C.12/1999/10, 8 December 1999), (Doc. E/C.12/1999/10.) (CESCR General Comment 13) para 6. <ohchr.org/EN/issues/Education/Training/Compilation/pages/GeneralComment> accessed 27 October 2021.
[19] Ratified by Nigeria on 19 April 1991.
[20] CRC article 28.

education. Failure to fulfil this duty is an offence punishable under the law.[21] An exception is created for children with mental disabilities.[22]

The African Charter on the Rights and Welfare of the Child also provides for the right to education and links this to the preservation and strengthening of positive African morals, traditional values and cultures.[23] The wording of the treaty makes it clear that access to education at all levels is a *sine qua non* to the development of one's personality, talents and mental and physical abilities to their fullest potential

While International Law provides the normative standards to which States are expected to adhere, the right to education is best protected, enforced, and realized at the national level. Educational objectives are spelt out in the 1999 Nigerian Constitution. Section 18(1) provides that 'Government shall direct its policy towards ensuring that there are equal and adequate educational opportunities at all levels.' The use of the word 'equal' can be interpreted as placing on government a duty to ensure that no segment of the society is disadvantaged or discriminated against in terms of access to education. It further provides that Government shall strive to eradicate illiteracy; and to this end Government shall as and when practicable provide free, compulsory and universal primary education; free secondary education; free university education; and free adult literacy programme.[24] This constitutional provision is expected to provide a conducive climate for accessing qualitative education at all levels.[25] The provisions of Chapter Two of the 1999 Constitution are generally non-enforceable in the courts of law.[26]

Notwithstanding this, the Federal High Court in 2017 in *Legal Defence and Assistance Project (LEDAP) v Federal Ministry of Education and Attorney General of the Federation*[27] declared as enforceable, the right of every Nigerian to free and compulsory primary and

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[21] Child's Right Act s15 (6).
[22] ibid, s 15 (7).
[23] African Charter on the Rights and Welfare of the Child, article 11.
[24] CFRN 1999, s 18 (3).
[25] Section 13 of the 1999 Constitution on Fundamental Objectives and Directive Principles of State Policy provides that "It shall be the duty and responsibility of all organs of government, and of all authorities and persons, exercising legislative, executive or judicial powers, to conform to, observe and apply the provisions of this Chapter of this Constitution." (emphasis added)
[26] See section 6 (6) (c) of the 1999 Constitution which provides that:
The judicial powers vested in accordance with the foregoing provisions of this section…. (c) Shall not, except as otherwise provided by this Constitution, extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision is in conformity with the Fundamental objectives and Directive Principles of State Policy set out in Chapter II of this Constitution.
[27] Suit No: FHC/ABJ/CS/978/15.

junior secondary education. The Court also ruled that federal and state governments have constitutional duties to provide adequate funds for free education. The Court noted that the right to free education in section 18(3) (a) of the Constitution was ordinarily not enforceable, being in chapter two of the Constitution. However since the National Assembly enacted the Compulsory, Free Universal Basic Education Act of 2004, it had made that provision of the Constitution an enforceable right.

The decision is applicable to basic education and limited to persons below the age of 18 years. Nevertheless, it has implications for access to senior secondary and higher education. Where all children enjoy access to basic education, the likelihood of a significant proportion going on to acquire senior secondary and higher education increases. States in Nigeria that have a high enrolment rate at primary and junior secondary have higher rates of completion in higher education institutions.[28]

Nigeria has ratified and domesticated the African Charter on Human and Peoples' Rights which provides in section 17 (1) that, 'every individual shall have the right to education'. This means that the right to education is recognised in local law. In *The Registered Trustees of the Socio-Economic Rights and Accountability Project (SERAP) v Federal Republic of Nigeria and Anor*[29] the Community Court of Justice held that, in view of the provisions of the African Charter, every Nigerian has a right to education which can be enforced before the Court.

The Government of Nigeria has drawn up policies, plans, and programmes for action on education.[30] Nigeria has enacted several laws for the educational sector. These include laws on universal basic education;[31] laws establishing institutions of higher learning;[32] and laws establishing regulatory bodies for the setting of educational standards and the enforcement of

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[28] Federal Ministry of Education, *Education Sector Analysis of the Federal Republic of Nigeria, Assessing the Status of Education and in the OAK States* (Dakar, UNESCO and IIEP 2021) 22-27.
[29] ECW/CCJ/APP/0808 (ECOWAS, Oct 27, 2009).
<https://www.worldcourts.com/ecowas/eng/decisions/2009.10.27_SERAP_v_Nigeria.htm> accessed 27 October 2021.
[30] For example, the National Policy on Education; Education for Change: A Ministerial Strategic Plan (2015-2019).
[31] The Compulsory, Free, Universal Basic Education Act, 2004. States have also enacted their Universal Basic Education Laws.
[32] Public/Government owned institutions of higher learning in Nigeria are established by an Act of Parliament. Some examples are the Ahmadu Bello University Act Cap. A14 LFN 2004, the University of Calabar Act Cap U5 LFN 2004 and the University of Ibadan Act Cap U6 LFN 2004.

such standards.[33] As education is on the Concurrent List in the Constitution, states have similarly enacted laws on education.[34]

The reality in terms of implementation of the right to education differs from expectations. The challenges of education in Nigeria have been extensively documented.[35] Nigeria is estimated to have the highest number of out-of-school-children in the world[36] and a literacy rate of 62 per cent.[37] Lack of commitment by political leaders to Nigeria's international obligations and national law and policy on education have seen gross underfunding of education and poor infrastructure in the public educational system. Teachers are among the least paid professions in Nigeria. Lecturers in higher education institutions are perennially threatening to embark on strikes, and embarking on strikes, in a bid to compel the government to adequately fund public higher institutions. These all have implications on the protection, realisation and enjoyment of the right to education in Nigeria.

1.3 The Impact of the COVID-19 Pandemic on the Right to Education

The COVID-19 pandemic adversely affected Nigeria in terms of health,[38] socio-economically, and educationally. The parlous state of affairs in Nigeria's educational system was further worsened by the pandemic and the imposition of lockdowns. Educational institutions from pre-school to tertiary levels were shut down and for most learners/scholars

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[33] These include statutes like the Education (National Minimum Standards and Establishment of Institutions) Act Cap. E2 LFN 2004 and bodies like the National Universities Commission (NUC), the National Board for Technical Education (NBTE), the National Examinations Council (NECO), the Joint Admissions and Matriculation Board (JAMB).

[34] For example, Education Law of Lagos state, Cap E3, Laws of Lagos State 2018; Education Law of Enugu State, Cap 37 Laws of Enugu state 2004; Education Law of Adamawa state, Cap 46 Laws of Adamawa State 1997; Education Law of Benue state, Cap 58 Laws of Benue State 2004; Education Law of Ekiti State, Cap E1 Laws of Ekiti State 2010.

[35] L.O. Odia and S.I. Omofonmwan, 'Educational System in Nigeria Problems and Prospects' [2007] 14 (1) *Journal of Social Sciences* 81-85, 82.

[36] UNICEF, 'UNICEF Nigeria Education factsheet' <https://www.unicef.org/nigeria/media/2846/file/UNICEF%20Nigeria%20education%20fact%20sheet.pdf> Last accessed 12 January 2022; Murtala Adewale, 'Nigeria has highest number of out-of-school children' *The Guardian* (Lagos, 25 July 2017).

[37] In 2010 the National adult literacy rate in English Language stood at 57.9%; in any language it stood at 71.6%. Other unofficial but more recent statistics put Nigeria's adult literacy rate in 2018 at 62.02%. See generally, National Bureau of Statistics and the National Commission for Mass Literacy, Adult and Non Formal Education (NMEC), *2010 National Literacy Survey* (NBS and NMEC 2010) 8. <https://www.nigerianstat.gov.ng/pdfuploads/National%20Literacy%20Survey,%202010.pdf> accessed 14 July 2021; 'Literacy in Nigeria SDG Target 4.6' <www.fawco.org/global-issues/education/education-articles/4623-literacy-in-nigeria-sdg-target-4-6> accessed 21 November 2021; 'Nigeria Literacy Rate 1991-2022' <https://www.macrotrends.net/countries/NGA/nigeria/literacy-rate> accessed 21 November 2021.

[38] According to the National Centre for Disease Control report, the people affected by COVID-19 increased from 407 to 48,569 with 1,098 deaths from February to September 20, 2020 (Nigeria Centre for Disease and Control, 2020)

no alternative mode of learning was provided. Nigeria was not an isolated case as the impact of COVID-19 and the associated lockdowns were felt globally in the educational sector. The COVID restrictions had adverse impacts on the enjoyment of the right to education. The Report of Education in Emergency Working Group revealed that about 46 million Nigerian students were affected by the schools' closure.[39]

Nigeria, with its unacceptably high number of out-of-school-children and an additional high number of children-at-risk-of-dropping-out-of-school; due to teenage pregnancies and/or marriages, insecurity, school abductions, family financial challenges and other factors,[40] faced additional challenges to the realisation of the right to education. Non-realisation of the right to education has implications for peace, security and national development.

The adoption of online learning, in the face of school closures, constitutes a vehicle to the realisation of the right to education. Post-lockdowns it could be a supplement to learning in the traditional classroom. The COVID-era global adoption of online learning[41] as an alternative to physical classroom instruction was mirrored in Nigeria, albeit in an uneven manner. While online learning was not totally new in many jurisdictions, it was now being adopted by a significant chunk of learners and scholars as the sole method of learning. In Sub-Saharan Africa infrastructural challenges such as poor, uneven and, in some cases, absence of internet services posed peculiar challenges to the adoption of online learning.

At the time of the research (2020), Nigerians had a total of 174 universities, of which 95 were public/government owned and 79 were privately owned. It is estimated that over 90 per cent of university undergraduates are enrolled in public/government owned institutions while the private universities account for about 6 per cent of university undergraduate enrolment.[42] The reasons for these disparities in enrolment figures are mostly economic.[43]

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[39] Nigeria Education in Emergencies Working Group (EiEWG) 'Nigeria Education Sector COVID19 Response Strategy in the Northeast' (EiEWG 2020); EiEWG, *Secondary Data Review* (EiEWG October 2019). <https://reliefweb.int/sites/reliefweb.int/files/resources/sdr_report_nigeria_eiewg_2019-10-10.pdf> accessed 12 November 2021.

[40] ibid.

[41] Other terms like online education, virtual learning and e-learning are used interchangeably.

[42] https://www.statista.com/statistics/1130794/number-of-university-students-in-nigeria/

[43] Undergraduate tuition in government owned universities is mostly free or subsidized and fees are largely stable irrespective of the program of study. Conversely, tuition in the private universities ranges from 300 000 naira to 10 million naira per session, depending on the University and the program of study. According to the NBS, 40.1 per cent of the population in Nigeria is classified as poor. The minimum wage in Nigeria is 30 000 naira monthly (360 000 naira annually) and the average monthly cost of living for a family in Nigeria is 137, 600 naira monthly (1.651 million naira annually). See NBS, *Nigeria Living Standards Survey 2018-2019*; NBS, *2019*

1.4 Methods

The researcher conducted a survey of students of Nigerian universities who were exposed to online education during the COVID 19 pandemic. The survey was aimed at eliciting information on their experience and perception of online learning as well as constraining factors to accessing education through online learning. A draft questionnaire was pre-tested by administration on students of higher institutions of learning in Nigeria – Universities, Polytechnics and Colleges of Education. The response rate from students of Polytechnics and Colleges of Education was low, suggesting a significantly lower level of involvement in virtual learning.[44] Drawing from the lessons acquired from the pre-testing of questionnaires, the instrument was modified and the study was restricted to Universities.

1.4.1 Method of Data Collection

The instrument used for collection of primary data for this study was the questionnaire. The questionnaire is a suitable tool where physical contact is impossible or impracticable, as was the case during the COVID era restrictions. It also has a higher response rate than email and other modes. It is considered suitable for persons who have internet access (a given for the target population). The questions used were close-ended; with a few open-ended questions employed in order to generate qualitative data and enable respondents supply more detailed information. Another justification for employing the questionnaire is the lower costs compared to phone interviews and the ability to reach a wider reach geographically.

1.4.2 Administration of Questionnaires

A questionnaire was administered via the internet through Google forms. The link to the questionnaire was distributed to student WhatsApp groups and redistributed by students to other student contacts. The questionnaire clearly stated the target population: Undergraduate students in Nigerian universities who are engaged in online learning. The questionnaire was administered in August 2020 (almost six months into the COVID school closures in Nigeria) over a period of 2 – 3 weeks (02 – 18 August 2020).

Poverty and Inequality in Nigeria, May 2020 <https://nigerianstat.gov.ng/download/1092> accessed 04 November 2021).

[44] This is in line with the study conducted by Wasiu Oyediran et al. which found lower level of compliance with e-learning in the Polytechnics and Colleges of Education. See Wasiu Oyediran et al. 'Prospects and limitations of e-learning application in private tertiary institutions amidst COVID-19 lockdown in Nigeria' [2020] 6(11) *Heliyon* 1.

In 2019, the total population of undergraduate students in Nigerian universities was put at approximately 1.8 million with approximately 94 percent enrolled in public universities and approximately 6 per cent enrolled in private universities.[45] A total of 398 valid responses was received, which is considered a fair sample.

1.4.3 Method of Data Analysis

The data was analysed by means of descriptive analysis. Descriptive tools of statistics employed include the use of frequency tables and percentages. The software used to tabulate the data for analysis and interpretation are Google Forms and Microsoft Excel.

1.4.5 Data Analysis (Results and Discussion)

The number of valid responses was 398.

Table 1.1: Age of respondents

Age range (years)	Frequency	Percentage
16 – 18	67	16.8%
19 – 21	177	44.5%
22 – 24	72	18.1%
25 – 27	32	8.0%
28 – 30	12	3.0%
31 and above	38	9.5%
Total	398	99.9%

Source: Researcher's Field Survey, 2020

Table 1.2: Gender of Respondents

Gender	Frequency	Percentage
Female	217	54.5%
Male	181	45.5%
Total	398	100.0%

 Source: Researcher's Field Survey, 2020

Table 1.3: Nature of institution attended

Type of institution	Frequency	Percentage
Private University	225	56.5%
Public University	173	43.5%
Total	398	100.0%

Source: Researcher's Field Survey, 2020

Although students in private universities account for only about 6 per cent of the undergraduate student population in Nigerian universities, they accounted for over half of the

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[45] https://www.statista.com/statistics/1130794/number-of-university-students-in-nigeria/

respondents (56.5). This could be due to the pendency of an industrial action by the academic union of universities in Nigeria which lasted for over six months, most of the period of the lockdown, and affected only public universities[46]. Thus, while online learning was ongoing in most private universities, the case was not so for most of the government-owned universities.

The respondents straddled many disciplines. Their courses of study are: Accounting, Anatomy, Biochemistry, Building, Business Administration, Computer Science, Economics, Engineering, English, French, History, Law, Library and Information Science, Mass Communications, Mathematics Education, Medical Laboratory Science, Medicine, Pharmacy, Political Science, Public Administration, Sociology.[47]

Table 1.4: Have you taken classes online before the COVID-19 Lockdowns?

Have you taken classes online before the COVID-19 Lockdowns?	Frequency	Percentage
No	274	68.8%
Yes	124	31.2%
Total	398	100.0%

Source: Researcher's Field Survey, 2020

For most respondents, online learning was a completely new experience as they had not taken online classes prior to the COVID lockdowns. It is apparent that online learning witnessed a sharp spike in the COVID era. This accords with findings from various researches.[48]

Table 1.5: How long have you been taking classes online? (All respondents)

How long have you been taking classes online?	Frequency	Percentage
Less than 3 months	175	44.0%
3months to less than 6 months	190	47.7%
6 months to less than 9 months	4	1.0
9 months to less than 12 months	5	1.3%
12 months and above	24	6.0%
Total	398	100.0%

Source: Researcher's Field Survey, 2020

For most respondents (91.7%) online learning began only after the COVID-occasioned lockdowns were imposed. Before then online learning was not common and was mostly

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[46] Uchechukwu Nnaike and Funmi Ogundare, '2020: Year of ASUU Strike, Schools Closure, New Normal,' *ThisDay* (Lagos, 30 December 2020; Idris Suleiman et al., 'ASUU Strike/COVID-19: Ten Months After, Life Returns to Nigerian Varsities,' *Blueprint* (Lagos, 6 January 2021); Chidimma Okeke et al. 'How Strike, COVID-19 Wrecked Education Calendar,' *Daily Trust* (Abuja, 16 January 2021).

[47] Researcher's Field Survey 2020.

[48] I O Joseph et al., 'COVID-19 Pandemic: Nigerian University Lecturers' Response to Virtual Orientation,' [2021] 8 (1) *Cogent Arts and Humanities* 1- 2 <tandfonline.com/doi/full/10. 1080/23311983.2021.1932041> accessed 12 January 2022.

restricted to distance learners such as students of the Open University. This illustrates the fact that online learning for the vast majority was a new experience and one they were unfamiliar with. At the time the research was conducted, the university closures and lockdowns in Nigeria had been in place for approximately six months.

Table 1.6: How long have you been taking classes online? (In Sub-categories)

How long have you been taking classes online?	Students in private universities (Frequency/Percentage)	Students in public (government-owned) universities (Frequency /Percentage)
< 3 months	45 (20%)	130 (75.1%)
3 months to < 6 months	165 (73.3%)	25 (14.5%)
6 months to < 9 months	4 (1.7%)	0 (0%)
9 months to < 12 months	0 (0%)	5 (2.9%)
12 months and above	11 (4.9%)	13 (7.5%)
Total	225 (99.9)	173 (100.0%)

Source: Researcher's Field Survey, 2020

Table 1.6 demonstrates that private universities were quicker than public universities in adopting online learning. At early August to mid-August, most respondents in private universities had been taking classes online for $3 - 6$ months, while most respondents in public/govt. owned institutions had taken online classes for less than 3 months. This is evidence of the disparity between students of private universities and students of public universities in terms of access to education during the pandemic. Further evidence is seen in the fact that although as at 2019, students in public universities constituted about 94 per cent of student enrolment in Nigeria compared to approximately percent enrolled in private universities, the respondents in the study (those who took online classes during the lockdowns) were mostly students in private universities (56.5 per cent) compared to 43.5 per cent from public universities (See Table 1.3). Ultimately, most public universities lost an academic session. Most private universities, on the other hand, in spite of the lockdowns, successfully completed the session.[49]

While it may be argued that the pendency of an industrial action by the academic staff of public universities during the pandemic was a contributory factor, we argue that the lockdowns and general closure of educational institutions contributed to the nonchalant attitude of the government to negotiating with the striking union. We further argue that even

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[49] Uchechukwu Nnaike and Funmi Ogundare, '2020: Year of ASUU Strike, Schools Closure, New Normal,' *ThisDay* (Lagos, 30 December 2020); Mark Mayah, 'Year 2020: Nigerian Education Still in Shambles amid COVID-19, Poor Funding, High Drop-out Rate, ASUU Strike' *BusinessDay* (Lagos, 28 December 2020).

if the strike had not been subsisting during the pandemic, the gross underfunding of public universities coupled with the massive enrolment would have made the adoption of online learning in many public universities an uphill, if not insurmountable, task.[50] The poor attitude of government to public education has implications for the enjoyment of the right to education of the vast majority of Nigerians who are unable to afford private education.

Table 1.7: Tools utilised for online learning

Which of the following support tools do your lecturers employ? (Tick as many as are applicable)	Frequency	Percentage
Google Classroom	301	75.6%
Powerpoint	44	11.1%
WhatsApp/ Telegram	241	60.6%
X-recorder/any screen recorder	13	3.3%
YouTube videos	45	11.3%
Zoom/other interactive audio or video application	256	64.3%

Source: Researcher's Field Survey, 2020

The respondents identified the tools most commonly adopted by their lecturers for online learning as Google Classroom, Zoom/other interactive audio or video application followed by WhatsApp/Telegram. This illustrates that higher institutions utilised mostly free learning tools for online learning during the COVID pandemic.

1.8: Lecture periods

What are your lecture periods? (Tick all that apply)	Frequency	Percentage
8.00 – 9.59 am	171	43.0
10.00 – 11.59 am	307	77.1
12.00 – 1.59 pm	209	52.5
2.00 – 3.59 pm	184	46.2
4.00 – 5.59 pm	193	48.5
6.00 – 7.59 pm	48	12.1
8.00 – 9.59 pm	73	18.3
09.00am – 1.00pm	7	1.8
1.00 – 3.00pm	8	2.0
3.00 – 5.00pm	21	5.3

Source: Researcher's Field Survey, 2020

Most respondents had structured time tables. 10.00am – 11.59am was the peak cluster period for lectures, followed by 12 noon – 1.59pm.

Table 1.9: Identify the two support tools that best aid your understanding

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[50] Public universities in Nigeria are characterised by over-enrolment of students and inadequate facilities. Alex Abutu, 'Overcrowded Universities Fail to Reduce Student Intake' (University World News, 27 June 2018) <https://www.universityworldnews.com/post.php?story=2018062615522003560> accessed 12 January 2022.

Response	Frequency	Percentage
Google Classroom	243	61.1%
Powerpoint	39	9.8%
WhatsApp/ Telegram	170	42.7%
X-recorder/any screen recorder	8	2.0%
YouTube videos	36	9.0%
Zoom/other interactive audio or video application	201	50.5%

Source: Researcher's Field Survey, 2020

Table 1.10: Ownership of Devices

Which of the following devices do you own? (tick as many as apply)	Frequency	Percentage
Desktop	9	2.3%
Laptop	164	41.2%
Smartphone	381	95.7%
Tablet	39	9.8%
None	11	2.8%

Source: Researcher's Field Survey, 2020

Availability of devices is crucial to online learning. Most of the respondents own an electronic device that would aid online learning. The smartphone was identified as the device owned by the highest number. 164 (41.2%) respondents out of 398 respondents own more than one device. Further data analysis revealed a significant difference between respondents who attend private universities and respondents who attend public universities. While 58.2 per cent of students in private universities own two or more devices, only 19.1 per cent of students in public universities own two or more devices (Table 1.11).

Table 1.11: Ownership of devices (In Sub-categories)

Number of devices owned	Students in private universities (Frequency/Percentage)	Students in public (government-owned) universities (Frequency /Percentage)
One	94 (41.8%)	140 (80.9%)
Two or more	131 (58.2%)	33 (19.1%)
Total	225 (100.0%)	173 (100.0%)

Source: Researcher's Field Survey, 2020

Table 1.12: Ownership of Laptop (In Sub-categories)

Ownership of a laptop	Students in private universities	Students in public (government-owned) universities

	(Frequency/Percentage)	(Frequency /Percentage)
Yes	124 (71.7%)	40 (17.8%)
No	49 (28.3%)	185 (82.2%)
Total	173 (100%)	225 (100%)

Source: Researcher's Field Survey, 2020

While 71.7% of respondents schooling in private universities claimed to own a laptop, only about 18% of students in public universities claimed to own a laptop. This is further evidence of the digital divide and underscores the need for provision of digital equipment to students if online-learning is to be adopted as a supplemental mode of learning. While finance is a possible factor in the disparity (students from disadvantaged backgrounds are more prevalent in public universities in Nigeria), there may be other variables responsible for the disparity. This may be explored in further research.

Table 1.13: If you do not own one of the devices listed whose device do you use for online learning? (Tick as many as apply)

Response	Frequency	Percentage
My mother's	73	18.3%
My sibling's	46	11.6%
My father's	39	9.8%
My Guardian's	21	5.3%
My friends'	16	4.0%
My relatives	15	3.8%
I go to a cybercafé	1	0.3%
I use an office device	1	0.3%

Source: Researcher's Field Survey, 2020

Respondents who had indicated non-ownership of a device as well as some respondents who had indicated ownership of smartphones and/ other devices in the previous question answered this question. The latter category clarified their answers in the instant question by stating that their devices were sometimes faulty or not suitable for online learning and that they had to use devices belonging to their parents, guardians or siblings. A significant number used borrowed devices for online learning. This shows that mere ownership of an electronic device is not sufficient; in some cases the device owned may not be suitable for online learning. It also shows that a significant percentage lack adequate tools for online learning.

Table 1.14: Identify the device you use most frequently for your online learning

Device used most frequently for online learning	Frequency	Percentage

Smartphone	343	86.2%
Tablet	17	4.3%
Laptop	34	8.5%
Desktop	4	1.0%

Source: Researcher's Field Survey, 2020

The smartphone was identified as the device most frequently used for online learning (86.2 per cent of respondents). In spite of 41.2 per cent of respondents claiming ownership of a laptop, only 8.5 per cent used it most frequently for online learning. Further research is required to reveal the reasons for this. While the smartphone generally has advantages over the laptop and other devices in terms of affordability, portability, and battery life; its relatively smaller screen size makes it unsuitable and unhealthy for prolonged hours of learning and study.

Table 1.15: What is your major source of electric power?

Major source of electric power	Frequency	Percentage
PHCN/NEPA/ Electricity distribution Company	331	83.2%
Solar	2	0.5%
Generating set	65	16.3%
Total	398	100.0%

Source: Researcher's Field Survey, 2020

Table 1.16: Approximately how many hours of electricity do you enjoy in a day?

Hours of electricity in a day	Frequency	Percentage
0 – 6 hours	175	44.0%
7 – 12 hours	120	30.2%
13 – 18 hours	58	14.6%
19 – 24 hours	39	9.8%
No response	6	1.5%

Source: Researcher's Field Survey, 2020

Table 1.17: In what way(s) will you say the online learning has contributed positively to you in terms of knowledge and skills?

Positive contribution of online learning (multiple responses)	Frequency N=173	Percentage
Helped ward off idleness; aided learning despite lockdown	59	34.1
Aided in completion of the academic calendar	28	16.2
Improvement in/ development of ICT skills; exposure to educational apps	23	13.3
Improved knowledge and skill in online research	22	12.7
Discovery of alternative modes of learning	14	8.1
Convenience/comfort	10	5.8
Flexibility	6	3.5
Development of personal/independent study	6	3.5

Source: Researcher's Field Survey, 2020

173 (43.5%) respondents mentioned positive contributions of online learning. From the responses in Table 1.17, online education adopted in the face of COVID 19 contributed to the integration of information technology in education and enhanced ICT and online research skills of students who participated. For the majority of respondents who answered in positive terms though, the major benefit was the ability to go on with learning and successfully complete the academic calendar. 225 (56.5%) respondents did not mention any positive contribution of the online learning and instead, 81 (20.4%) respondents went on to express reservations on the effectiveness of the online system of learning.

Apart from reservations from undergraduate students studying practical-oriented courses, who opined that the practical hand-on learning was non-negotiable, most of the reservations were linked to challenges related to poor internet services, absence of /or inadequate electricity, lack of suitable devices /gadgets, distractions by other content in their devices and lack of adequate preparation for online learning by their institutions. Even a good number of the respondents that commended the introduction of online learning by their educational institutions were of the opinion that the traditional face-to-face method of instruction was preferable to online learning.

Table 1.18: On a scale of 1 – 10, how satisfied are you with the online learning you are currently engaged in?

Score	1	2	3	4	5	6	7	8	9	10
Frequency	38	25	61	86	66	49	20	25	21	8
Percentage	9.5%	6.3%	15.3%	21.6%	16.6%	12.3%	5.0%	6.3%	5.3%	2.0%

Source: Researcher's Field Survey, 2020

Table 1.19: On a scale of 1 – 10, how satisfied are you with the online learning you are currently engaged in/ with? (Grouped responses)

Score	1 – 4	5 - 10
Frequency	210	181
Percentage	52.3%	47.7%

Source: Researcher's Field Survey, 2020

391 out of 398 respondents answered this question. While 52.3 per cent gave a 1-4 rating of the online learning, 47.7 per cent gave a 5-10 rating to the online learning. This means that a slight majority gave low ratings to their online learning.

Table 1.20: Identify common challenges you face in your online learning process

Common challenges	Frequency	Percentage
No device	14	3.5%
Inadequate device	35	8.8%
High cost of data	319	80.2%
Poor internet facilities	303	76.1%
Absence of internet	65	16.3%
Poor electricity supply	207	52.0%
Distractions by other content in devices	134	33.7%
Lack of familiarity with the internet	54	13.5%
Distractions by/ burden of house chores	14	3.5%
Poor teaching	3	0.8%
Too many course materials	2	0.5%

Source: Researcher's Field Survey, 2020

The challenges identified as most common are: high cost of data (80.2%), poor internet facilities (76.1%), poor electricity supply (52.0%) and distractions by other content in devices (33.7%). When poor internet facilities and absence of internet network are put together, challenges associated with internet network/connectivity rises to number one challenge (92.4%). Online learning and the rise in consumption of data took place at a time when many households faced economic uncertainty and hardships including pay cuts and layoffs. The cost of data in Nigeria *vis a vis* disposable incomes remains high.[51] The study reveals these factors as major constraining factors to online learning in Nigeria. Reliable and affordable internet infrastructure as well as adequate supply of electricity are prerequisites to the adoption of online learning.

Distractions from other content in devices poses a significant challenge to effective online learning. This challenge highlights the need for educational content creators, online learning platforms and educational institutions to partner with software developers to create Apps that would minimise such interferences or distractions, thereby optimizing the learning experience. Equally important is the building of self-discipline as well as the development of personal strategies for minimising distractions.

13.5% of respondents identified non-familiarity with the internet as a challenge to effective online learning, while about 1% identified poor teaching. In many cases, lecturers were "learning on the job"[52]. In most cases Universities that adopted the online method had no pre-existing structures and modalities and had to develop such alongside the ongoing online

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[51] Emmanuel Paul, 'The Cost of Internet Data in Nigeria is Increasing, But It's Not Really Obvious' (Techpoint, 23 July 2020) <https://techpoint.africa/2020/06/23/internet-data-nigeria-increased/> accessed 23 November 2021.

[52] Data obtained from interviews of lecturers in some tertiary institutions in Nigeria.

classes.[53] Training of teachers and lecturers in online instruction as well as the integration of e-learning with traditional learning is key to preparing for the future in which online learning will be a 'normal'.[54]

1.5 Conclusion

While a significant minority of respondents identified positive benefits of online learning most respondents were of the opinion that the traditional face-to-face method of instruction was preferable to online learning and they expressed eagerness to return to the physical classroom. 52.3 per cent of respondents ascribed a low rating to their online learning experience. Apart from infrastructural challenges, the relative novelty of online learning and the lack of familiarity with this model by staff and students posed additional challenges.

The study provides evidence of disparities between students in private universities and students in public universities; disparities between the rich and less well-off in terms of accessing education during the COVID pandemic. Section 18 of the 1999 Constitution on Educational Objectives speaks of 'ensuring that there are *equal and adequate* educational opportunities at all levels'.[55] The evidence of inequality in access to education in a pandemic-era illustrates how the gap between the classes has been further widened, further worsening the chances many have to obtain the education that would help improve their lot in life.

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[53] Ibid.

[54]

[55] (Emphasis added).