EDUCATION LAW, STRATEGIC POLICY AND SUSTAINABLE DEVELOPMENT IN AFRICA

Agenda 2063

Edited by A.C. Onuora-Oguno,
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To every African child denied access to quality education

Foreword

Towards a New Era of Human Rights: The Right to Education in Africa

A famous African human rights scholar has suggested that the age of human rights is over.[1] He argues that, although, at no point in history, there have been more norms, processes and institutions seeking to promote human rights, human rights have lost their moral force. A number of factors are said to have contributed to this erosion of the idea of human rights. On the one hand, human rights have been abused as part of a civilising mission of the West against former colonies to "deliver primitive peoples into the Age of Europe", pursued with the same mindset with which the colonial powers already undertook their colonising mission, thus leading to large-scale aversion to the idea of human rights in the countries concerned.[2] On the other hand, the West has never quite lived up to human rights standards itself, "preaching water, but drinking wine", hence undermining the credibility of those advocating human rights. The so-called war on terror led by the USA, for example, has served to justify human rights violations on a grand scale in Afghanistan, Iraq, Libya, etc.[3] Human rights are said, in many ways, to have remained an essentially Western construct, rejected in many non-Western societies, notably in Asia and the Near East.[4] To this, one may further add that the human rights movement has generally "overpromised, but underperformed". The level of privation resulting from war or unbridled capitalism has made the future of many in

war-torn or poorer countries look bleaker than ever, with the rest of the world paralysed and unable to do anything.[5]

There may be substantial truth to these sobering observations. However, even the author of these sentiments goes on to admit that "[t]he internationalisation—universalisation—of human rights principles and tenets is so deeply embedded in the psyches of states and cultures around the world that it is irreversible".[6] Hence, when the African Union in its Agenda 2063 aspires towards "[a]n Africa of good governance, democracy, respect for human rights, justice and the rule of law",[7] I suppose the only option available is to work with that concept—the concept of human rights—but to try to accomplish a reinvigoration of the human rights idea and to ensure that human rights are taken seriously. The question, of course, is how this should be achieved. This book focuses on the right to education—a so-called hybrid right, evidencing characteristics of civil and political, economic, social and cultural, and group or solidarity rights, therefore of all three generations of human rights.[8] It covers classical freedoms, such as the absence of indoctrination in schools, the right to establish private schools or academic freedom. It further encompasses positive duties of the state to make education available, accessible, acceptable and adaptable at all levels of the education system. However, it also implicates the right to development as entitling a nation as a whole to socio-economic and political progress. The right to education is, moreover, what has been termed an "empowerment right", i.e. a human right itself whose enjoyment only makes the exercise of most other human rights possible. It constitutes the basis for each person's political enlightenment, facilitates his or her socio-economic success in life and makes it possible for that person to take part in cultural life.[9] How then can the right to education reclaim its moral significance as a human right in the African context and be taken seriously in what appears to be a post-human rights era? Among the possible solutions, three may perhaps be singled out.

One of the reasons for the failure of human rights in non-Western societies has been that they have been experienced as an alien construct superimposed on such societies. No effort has been made to embed human rights in the specific context in which they were to operate. This remains the primary obstacle to the acceptance of human rights in the Near East and Asia. Although this used to be true for Africa too, significant steps have been taken to make human rights a "home-grown" achievement, at least at the regional level.[10] The regional African human rights system, with its norms (the African Charter on Human and

Peoples' Rights (Banjul Charter) of 1981, the Protocol thereto on the Rights of Women in Africa of 2003, the African Charter on the Rights and Welfare of the Child of 1990, etc.) and its institutions (African Commission on Human and Peoples' Rights, African Court on Human and Peoples' Rights, African Committee of Experts on the Rights and Welfare of the Child), has been used as the basis for this process. Its norms ensure "greater normative legitimacy by addressing the specific real-life concerns of Africans and African cultural conceptions of human rights",[11] and its institutions, specifically the African Commission, have shown themselves to be relatively effective in protecting human rights.[12] Although Article 17(1) of the Banjul Charter provides only rather succinctly that "[e]very individual shall have the right to education", this right has been elaborated on by Article 11 of the African Children's Rights Charter.[13] Article 11 broadly includes the essential elements of Articles 28 and 29 of the U.N. Convention on the Rights of the Child, the corresponding provisions in the Charter's international counterpart, but adds a distinct "African" flavour. Education is thus to be directed to "the preservation and strengthening of positive African morals, traditional values and cultures", "the preservation of national independence and territorial integrity" and "the promotion and achievements of African Unity and Solidarity".[14] The African Committee of Experts on the Rights and Welfare of the Child, the body of independent experts supervising implementation of the African Children's Rights Charter, has further started addressing the right to education in Article 11 in its first two General Comments, pointing out the importance of education for the children of incarcerated and imprisoned parents and caregivers,[15] and the urgency of realising the right to birth registration, name and nationality in Article 6, *inter alia* to guarantee access to education.[16] It has also started adjudicating on the right to education under its communication procedure. In its second decision in the case of *Children of Nubian Descent v. Kenya*, the Committee found children of Nubian descent to have suffered *de facto* inequality in their access to available educational services and resources as a result of their lack of confirmed status as Kenyan nationals, in violation of Article 11.[17] All this goes to confirm that the right to education is in the process of becoming a genuinely "African" right within the African human rights system. It is crucial that the future sees enhanced activity of this sort at the regional, but also at the national level in Africa to strengthen the moral cogency of the right to education and other human rights on the continent and beyond.

Another reason for the general demise of human rights at the international level is that they have been relegated to play purely "technical" legal role in U.N. and regional human rights procedures not enjoying prominent publicity and media coverage. The discourse at centre stage, rather than focusing on the realisation of human rights, turns around meeting human needs, eradicating poverty and achieving sustainable development. In the field of education, the right to education has thus been superseded by the lofty goal of "[e]nsur[ing] inclusive and equitable quality education and promot[ing] lifelong learning opportunities for all" by 2030.[18] While international human rights treaties such as the International Covenant on Economic, Social and Cultural Rights of 1966, or the U.N. Convention on the Rights of the Child of 1990, or the African Children's Rights Charter of 1990 create clear legal obligations for states, individually and jointly, to realise the right to education, a second strand of documents—notably the Jomtien World Declaration on Education for All of 1990, the Dakar Framework for Action of 2000, the U.N. Millennium Declaration of 2000, the 2030 Agenda for Sustainable Development of 2015, and the Incheon Declaration and Framework for Action of 2015[19]—in which political commitments replace those of a legal nature, has shifted into the spotlight now. These documents are very different from the human rights treaties long since in place and sufficient to stipulate what is expected of states: They focus on only aspects of the right to education addressed in the treaties (for example, neglecting higher education or freedom in education), sometimes they openly contradict human rights law (the minimum core obligation of international law to achieve free and compulsory primary education for all without delay[20] becomes an obligation subject to progressive realisation), and they fail to clearly identify duty bearers, who, if targets are not met, are responsible for having committed a violation of the right to education. In the words of a former U.N. Special Rapporteur on the Right to Education, "[t]he difference which human rights bring can be expressed in one single word—violation. The mobilising power of calling a betrayed pledge a human rights violation is immense".[21] This is true also with regard to the right to education and other economic, social and cultural rights, whose realisation, as is well known, depends on state resources, which, more often than not, are scarce. Not describing the failure to satisfy, at the very least, minimum essential levels of these rights as a prima facie human rights violation, renders these rights legally and morally irrelevant.[22] In a situation where clear human rights

obligations of states become pledges whose fulfilment is vaguely assigned to a multitude of actors—states, intergovernmental agencies, NGOs, the private sector, or "the education community"[23] —and whose realisation, in the absence of the language of "violations", is more discretionary than mandatory, pledges will be betrayed time and time again. It is no wonder that the Incheon Declaration and Framework for Action of 2015 needs to provide for "a single, *renewed* education agenda that is holistic, ambitious and aspirational, leaving no one behind",[24] as previous ones necessarily had to fail.[25] Obviously, in these circumstances, where global development endeavours in a populist, yes, messianic fashion promise prosperity, but properly remain beyond the realm of human rights, and where genuine human rights work performed by expert bodies and tribunals is accorded a subordinate significance not enjoying any public attention, human rights will not only not be fulfilled, but also will lose their lustre.

The final observation made here relates to the need for adding a perspective which so far has been lacking in international human rights law. In a globalised word, where many actions of states affect the human rights of those beyond their borders—and may prevent the realisation of human rights in other states—human rights under international law must be recognised to give rise to extraterritorial obligations. A neglect to add this missing dimension is one of the major reasons why human rights are perceived to be failing in the present world. The Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights of 2011, a document prepared by a group of experts in international law, recognise that "[a]ll States have obligations to respect, protect and fulfil human rights, including civil, cultural, economic, political and social rights, both within their territories and extraterritorially".[26] Extraterritorial obligations encompass: "(a) obligations relating to the acts and omissions of a State, within or beyond its territory, that have effects on the enjoyment of human rights outside of that State's territory; and (b) obligations of a global character that are set out in the Charter of the United Nations and human rights instruments to take action, separately, and jointly through international co-operation, to realise human rights universally".[27]

Consequently, states, in devising, implementing and monitoring bilateral development co-operation policies and programmes, are obliged to comply with the right to education. A failure to do so constitutes a human rights violation. The International Monetary Fund—although

its loans to low-income countries now include social spending targets, covering education—has recently been shown, in a large number of cases, not to have ensured countries under its tutelage are able in practice to meet these targets.[28] The World Bank supports the development of a multinational chain of low-fee profit-making private primary schools targeting poor families in Kenya and Uganda; these schools use highly standardised teaching methods, untrained low-paid teachers and aggressive marketing strategies to target poor households, while, on the other hand, it (the Bank) has not invested in free public primary education in these countries.[29] States, as members of the IMF and the World Bank, may not hide behind these organisations' institutional veil. As a member of an international organisation, a state remains responsible for its conduct in relation to its international human rights obligations within its territory and beyond, and it must take all reasonable steps to ensure that the international organisation concerned acts in accordance with its (the state's) pre-existing obligations under international human rights law.[30] Under international human rights law, states are required to use maximum available resources to provide public education of a high quality.[31] Primary education must be compulsory and free, secondary and higher education must be made progressively free.[32] Likewise, any liberalisation of trade in education services, whether at the primary, secondary, or higher education level, under the WTO General Agreement on Trade in Services (GATS) or any other bilateral or multilateral trade agreement, which impinges on free or progressively free public education of high quality, or any intellectual property protection under the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) or any other bilateral or multilateral trade agreement, which restricts access to textbooks or digital content in a way detrimental to the provision of free or progressively free public education of high quality, constitutes a human rights violations. There is an obligation of states to elaborate, interpret, and apply international agreements and standards in a manner consistent with their human rights obligations.[33] The realisation of the right to education, as that of other economic, social and cultural rights, depends on the availability of resources. When human rights treaties thus provide for the use of maximum available resources and recourse, where necessary, to international assistance and co-operation in this regard,[34] this implicates legal obligations of an extraterritorial nature. Hence, for states that are in a position to allocate 0.7 % of their gross national product to official development assistance,

failure to do so must be held to constitute a prima facie human rights violation.[35] As underlined by the Maastricht Principles, "a state has obligations to … fulfil economic, social and cultural rights" in situations in which the State "is in a position … to take measures to realise economic, social and cultural rights extraterritorially".[36]

In my view, the three courses of action outlined here—domesticising human rights in the specific context in which they are to operate, debunking the approach in terms of which "all we (whoever that is) need to do is try our best, over the next 15 years or so, to satisfy certain human needs, without fearing any consequences in case we fail to achieve success" in favour of a clear violations approach, and appreciating that, taking human rights seriously, must entail the recognition of state obligations to respect, protect, and fulfil human rights also beyond national borders—will go some way towards restoring faith in human rights, including the right to education, and reinstating such rights as a compelling moral category, globally and also in Africa. The African Union's aspiration in its Agenda 2063 towards "[a]n Africa of good governance, democracy, respect for human rights, justice and the rule of law" may perhaps constitute the appropriate context for making human rights relevant on the continent again, and for adopting a perspective incorporating a wider and more robust understanding of human rights, as advocated here. In this sense, a book commenting on the importance of human rights to development in Africa in the light of that continent's complex history, the need for a proactive judiciary in the realisation of human rights and the crucial role of the right to education in advancing the AU's Agenda 2063 is most welcome and may, in its modest way, encourage Africans and others to embark on the journey into a new human rights era.

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NOTES

1. M. Mutua, "Is the Age of Human Rights Over?," in: S.A. McClennen & A. Schultheis Moore (eds.), *The Routledge Companion to Literature and Human Rights* (Routledge, 2015), 450–458.
2. Ibid., at 455.
3. Ibid., at 452.
4. Ibid., at 452–453.
5. Ibid., at 454–455.
6. Ibid., at 455–456.
7. African Union, Agenda 2063, Aspiration 3.
8. See K.D. Beiter, *The Protection of the Right to Education by International Law: Including a Systematic Analysis of Article 13 of the International Covenant on Economic, Social and Cultural Rights* (Martinus Nijhoff, 2006), 37–43.
9. See Ibid., at 28–30.
10. See Mutua, note 1, at 453. Domesticisation implies, of course, that "new" regional norms must complement, but not contradict, corresponding global norms. See F. Viljoen, "Human Rights in Africa: Normative, Institutional and Functional Complementarity and Distinctiveness," *South African Journal of International Affairs*, 18(2) (2011), 191–216.
11. Viljoen, note 10, at 209.
12. Ibid., at 200–201.
13. Attempts to concretise the content of Article 17(1) of the Banjul Charter have, however, been made in Paragraph 8 of the Pretoria Declaration on Economic, Social and Cultural Rights in Africa (2004), Part IV.D. Right to Education (Article 17), paras. 68–71, of the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (2010).
14. Art. 11(2)(c), (e), (f).
15. See General Comment No. 1 (Article 30 of the African Charter on the Rights and Welfare of the Child) on "Children of Incarcerated and Imprisoned Parents and Primary Caregivers," 2013, paras. 4, 12, 20, 26, 27.
16. See General Comment No. 2 (Article 6 of the African Charter on the Rights and Welfare of the Child) on "Right to Birth Registration, Name and Nationality," 2014, paras. 17, 31, 44, 54, 71, 85, 86.
17. See Institute for Human Rights and Development in Africa (IHRDA) and Open Society Justice Initiative on behalf of Children of Nubian Descent in Kenya v. Government of Kenya, 22 March 2011, Communication No. 2/2009.
18. U.N. General Assembly, A/Res/70/1, 2030 Agenda for Sustainable Development, Sustainable Development Goal 4.

19. World Declaration on Education for All and Framework for Action to Meet Basic Learning Needs of 1990; Education for All: Meeting our Collective Commitments: The Dakar Framework for Action of 2000; the United Nations Millennium Declaration (U.N. General Assembly, A/Res/55/2, 2000), the 2030 Agenda for Sustainable Development (U.N. General Assembly, A/Res/70/1, 2015); Incheon Declaration and Framework for Action for the Implementation of Sustainable Development Goal 4 of 2015.

20. See U.N. Committee on Economic, Social and Cultural Rights, General Comment No. 13, The Right to Education (Article 13 of the International Covenant on Economic, Social and Cultural Rights), U.N. Doc. E/C.12/1999/10, paras. 51, 57, or Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (2010), paras. 16, 71(a), (b).

21. K. Tomaševski, *Removing Obstacles in the Way of the Right to Education* (Novum Grafiska AB, 2001) (Right to Education Primers No. 1), 10.

22. See U.N. Committee on Economic, Social and Cultural Rights, General Comment No. 3, The Nature of States Parties' Obligations (Article 2(1) of the International Covenant on Economic, Social and Cultural Rights), U.N. Doc. E/1991/23, para. 10, or the Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Charter on Human and Peoples' Rights (2010), para. 17, both documents – even if the latter more indirectly–indicating that the failure to satisfy, at the very least, minimum essential levels of economic, social and cultural rights constitutes a prima facie human rights violation.

23. On commitments of "the education community," see the Incheon Declaration and Framework for Action, for the Implementation of Sustainable Development Goal 4 of 2015 para. 2.

24. Incheon Declaration for the Implementation of Sustainable Development Goal 4 of 2015, para. 5. Own italics.

25. UNESCO's *Global Education Monitoring Report 2016: Education for People and Planet: Creating Sustainable Futures for All* thus finds that "only 64 countries met [the] 2015 target on primary education, while 40% will not achieve [the] 2030 goal on secondary education until 2100." K. Hodal & J. Holder, "Poorest Countries Hit Hardest as World Lags Behind on Global Education Goals," *The Guardian*, 6 September 2016, https://www.theguardian.com/global-development/2016/sep/06/poorest-countries-hit-hardest-world-lags-behind-global-education-goals-unesco-report.

26. Maastricht Principles, Principle 3. See O. De Schutter et al., "Commentary to the Maastricht Principles on Extraterritorial Obligations of States in the Area of Economic, Social and Cultural Rights," *Human Rights Quarterly*, 34(4) (2012), 1084–1169, for a reproduction of and commentary to the Maastricht Principles.

27. Maastricht Principles, Principle 8.
28. See A.E. Kentikelenis, "IMF Conditionality and Development Policy Space, 1985–2014," *Review of International Political Economy*, 23(4) (2016), 543–582.
29. See Education International, "World Bank Must Support Quality Public Education, Not Private Schools!" 14 May 2015, https://www.ei-ie.org/en/news/news_details/3527. In Uganda, the government and High Court have now ordered the closure of many of these schools, found to have operated in contravention of the law. See Education International, "Uganda: For-Profit Education Chain Suffers Major Blow," 4 November 2016, https://www.ei-ie.org/en/news/news_details/4165.
30. Maastricht Principles, Principle 15. See also De Schutter et al, note 26, at 1118–1119.
31. See, e.g. Art. 13 read with Art. 2(1) of the International Covenant on Economic, Social and Cultural Rights.
32. See, e.g. Art. 13(2)(a), (b), (c) of the International Covenant on Economic, Social and Cultural Rights.
33. Maastricht Principles, Principle 17.
34. See, e.g. Art. 2(1) of the International Covenant on Economic, Social and Cultural Rights.
35. It has long since been recognised that donor states should allocate this percentage of their gross national product to official development assistance.
36. Maastricht Principles, Principle 9(c).

PREFACE

This book, a product of scholars and activists from across Africa, derives from three fundamental beliefs: (i) a belief that basic human rights to which everyone is entitled, and which are administered by, for and among African peoples, can contribute to thriving countries and a thriving continent; (ii) a belief that education is among the most important of all human rights and that every child deserves access to a quality education; (iii) a belief in the centrality of education to thriving democracies, where all participate on an equal basis in determining our common destinies and where all share in the fruits of our common effort.

In Africa, as throughout the world, the effort to realize human rights and a quality education for all is a work in progress. Achieving success in this effort requires commitment and active participation at all levels of society and in all its institutions—from grassroots organizing at the local level, to a political process that responds to the needs of all society's members, to a judiciary that protects human rights and prods the political process to live up to its responsibilities. The authors of this book hope that this project will help advance the cause.

Houston, USA   T.E. Kleven

Acknowledgements

Contents

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Abbreviations

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACHPR	African Commission on Human and Peoples' Rights
ACHPR	The African Charter on Human and Peoples' Rights (Banjul Charter) of 1981
ACRWC	African Charter on the Rights and Welfare of the Child
ASIDI	Accelerated Schools Infrastructure Delivery Initiative
AU	African Union
AUC	African Union Commission
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CFRN	Constitution of the Federal Republic of Nigeria
CPA	Comprehensive Peace Agreement
CRA	Child Rights Act
CSO	Civil Society Organisations
EAC	East African Community
ECOWAS	Economic Community of West African States
EFA	Education For All
EPRC	Education Policy Review Commission Report
FGM	Female Genital Mutilation
GATS	General Agreement on Trade in Services
GCE	General Certificate of Education
GDP	Gross Domestic Product
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICPCR	International Covenant on Civil and Political Rights

JAMB	Joint Admissions and Matriculation Board
LFN	Laws of the Federation of Nigeria
LGBTIA	Lesbian, Gay, Bisexual, Transgender, Intersex, Allies/Asexual
LGBTQ	Lesbian, Gay, Bisexual, Trans and Queer
LPC	Liberia Peace Council (LPC)
Maputo Protocol	Protocol to the African Charter on Rights of Women
MDG	Millennium Development Goal
NABTEB	National Education Certificate and National Business and Technical Examination Certificate
NCLR	Nigerian Constitutional Law Report
NECO	National Education Certificate
NEPAD	New Partnership for Africa's Development
NESRI	National Economic and Social Rights Initiative
NGO	Non-Governmental Organisations
NPEA	National Policy on Education Act
NPE	National Policy on Education
NSCQR	Nigerian Supreme Court Quarterly Reports
NUC	National Universities Commission
OAU	Organisation for African Unity
PEN	Poets, Essayists, Novelists
RBA	Right-Based Education
REC	Regional Economic Communities
SADC	Southern African Development Community
SCNLR	Supreme Court of Nigeria Law Reports
SDG	Sustainable Development Goal (SDG)
SERAP	Social Economic Rights Accountability Project
SIAS	Screening, Identification, Assessment and Support Strategy
SMART	Specific, Measureable, Achievable, Realistic and Time-Bound
SOGIE	Sexual Orientation and Gender Identity and Expression
SSS	Senior Secondary School
TFR	Total Fertility Rate
TRC	Truth and Reconciliation Commission
TRIP	Trade-Related Aspects of Intellectual Property Rights
UBEC	Universal Basic Education Commission
UBE	Universal Basic Education
UDHR	Universal Declaration of Human Rights
UMACIS	Uganda Manufacturers Association Consultancy and Information Services
UNCRC	United Nations Convention on the Rights of the Child
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGA	United General Assembly

UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children Education Fund
UNSC	United Nations Security Council
UPE	Universal Primary Education
UTME	Unified Tertiary Matriculation Examination
WAEC	West Africa Education Certificate
WHO	World Health Organisation
WiLDAF	Women in Law and Development in Africa
WTO	World Trade Organisation

LIST OF TABLES

The African Union's Agenda 2063: Education and Its Realization

Michael Addaney

1   INTRODUCTION

The African Union's (AU) Agenda 2063 is a well-developed comprehensive plan for the structural transformation of Africa which was adopted at the AU's golden jubilee summit in 2013.[1] The heads of states and governments assembled at the summit declared their resolve to make progress in eight priority fields which are to be integrated into national development policies and plans.[2] These priority areas include African identity and renaissance, continuation of the struggle against (neo)colonialism and for the right to self-determination, African integration for socioeconomic development, peace and security, democratic governance as well as to establish and position Africa's destiny at the global level.[3] The Agenda is anchored in and driven by the development aspirations of the African peoples that were culminated through a broader continental consultative process. Various stakeholders including governments, civil society organizations, think tanks, research institutions, Africans in the Diaspora, women, children as well as the private sector were all

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consulted.[4] The regional economic communities (RECs) through their inter-ministerial sector meetings were actively involved in the process.[5]

It has been observed that Agenda 2063 is an ambitious and comprehensive blueprint for Africa.[6] But it faces major challenges such as lack of resources for its effective and efficient execution as well as lack of commitment from African leaders and the AU itself.[7] This is due to the well-established perception that African leaders publicly agree on the issues that they do not actually believe in or fully support. History reminds us of the several failed continental agendas adopted by the AU since its inception that sought to propel shared growth, security, and sustainable development through the advancement of political, economic, social, and technological transformation similar to the new Agenda. Nevertheless, the AU has successfully advanced popular concepts such adopting 'African solutions to African challenges' and 'African Renaissance which despite much contestations seems to be accepted as the way forward in building the Africa we want by 2063. However, critics point to the failure of the Trans-African Highway agenda which the African Group at the United Nations headquarters in partnership with the then Organisation for African Unity (OUA, now AU) and the Economic Commission for Africa championed in the 1970s.[8] This Agenda was stillborn and never saw the light of day despite the hype and the pledges that were made to raise funds for its realization. Much as the new Agenda is welcome, this and other failed initiatives by the AU due to lack of commitment from African leaders[9] raise skepticism about its implementation.

To overcome these hurdles, there is the need for a careful identification of the challenges ahead and the requisite solutions to address such challenges adequately. Education is touted as the key to enlightenment and transformation. It is, therefore, one of the most potent vehicles for finding effective solution to the challenges ahead as well as an 'efficient tool for the execution of the new Agenda'.[10] It has been contended that the AU through its member states needs to integrate the Agenda into their national educational plans and initiate institutional as well as policy reforms at the national level to enhance access to quality and accessible basic and higher education.[11] On this premise, through a qualitative approach, this chapter meta-analytically argues that the existing continental education systems, pedagogy, and curriculum are not responsive to the Agenda's eight point goals. Therefore, the existing education system needs to be reformed to be rights-respecting, that is context-specific as well as cogent enough to drive the successful and effective delivery of the Agenda.

It has been argued that managing the implementation of the Agenda for sustainable development impact requires that the African peoples should have the core principles of the Agenda engrained in their hearts, distilled in their minds, and skilled in their fingers through national and regional teaching and research institutions.[12] For instance, the Agenda identifies among others the prevalence and severity of extreme unpredictable weather conditions which distort normal crops patterns, reduce agricultural and industrial production as well as export earnings which affect the socio-economic development of Africans.[13] It further recognizes that climate change and natural disasters will continue to adversely impact the development of Africa for many years to come and admit Africa's limited capacity for disaster preparedness and prevention which is the resulting trail of suffering, deaths, and material destruction in every natural disaster.[14] It, therefore, seeks to achieve high standard of living, quality life, and well-being for all Africans as well as to build resilient economies and communities.[15]

The Agenda identifies strategies but without integrating these aspirations and strategies into the existing educational system, it will only remain in theoretical realms and shelves just like the other regional agendas and policies. On this premise, this chapter posits that integrating the Agenda into the existing continental and national educational systems is the durable means of achieving clarity, synergy, cooperation, and coherence among the national and regional implementation strategies to ensure that no one is left behind. DeGhetto et al. argue that there is the need to address the question of how the Agenda can be effectively and efficiently integrated and synchronized into national-level policies as well as specific legislative and policy actions are to be adopted to ensure that the integration is not only effected but well managed to make sustainable impact.[16] The chapter is divided into four sections: Section 1 introduces the chapter and is followed by a brief discussion of the Agenda 2063. Section 3 examines education as an instrument for realizing the Agenda 2063, and Section 4 concludes by recommending education as the cogent strategy and bedrock to realize the Agenda 2063.

2 This is What We Want: Agenda 2063 from a General Perspective

Agenda 2063 is an ambitious and people-centered continental vision with a carefully crafted action plan that aims to position Africa for growth over the next 50 years. It incorporates lessons and experiences from Africa's past. The core objective is to secure unity, prosperity as

well as peace for all its citizens. In simple terms, Agenda 2063 is targeted at ensuring that Africa do things differently in a people-centered manner, by scaling and scoping up to ensure it is bigger as well as better in terms of governance, performance outcomes, and impact on citizens.[17] According to the Africa Union Commission, the critical success factors for the Agenda are inter alia the participation of multiple key stakeholders at all stages from preparation to implementation, a result-based management approach with SMART (specific, measureable, achievable, realistic, and time bound) strategic objectives as well as instilling the right set of African values especially in the area of attitudes, and mind sets.[18] Agenda 2063 originates from the AU Constitutive Act and vision while it also builds on continental, subregional, and national priorities.[19]

DeGhetto et al. assert that as both a continental vision and action plan, the Agenda strongly calls for positive socioeconomic transformation in Africa.[20] This is relevant since it goes beyond drivers for economic growth and shared development and demands for transparent governance, transformational change as well as shared prosperity. Achieving this requires, inter alia, human resource capacities and competencies for the management of the longitudinal, multilevel transformational change. The Agenda challenges all the citizens of Africa to take stock of and learn from Africa's past experiences for its future growth and development. It is argued that this learning is 'not a mere academic exercise of taking cognizance of the historical past but as a non-reversal as well as sustaining change of attitude at the individual, institutional, and societal levels'.[21] This type of learning requires a unique combination of human capacities and competencies in order to manage the transformational changes within African states. From this perspective, the Agenda is a clarion call for Africans to think hard and wide on how to manage its future particularly, especially across generations in the areas of politics and business, technology and innovation, as well as development and society as a whole.

2.1   Africa's Promise Future

In 2013, African heads of state and government pledged their commitment to progress in eight key priority areas, which includes African identity and renaissance, the continued struggle against colonialism and the right to self-determination, continental integration, social and economic development and transformation, peace and security, democratic governance,

determining Africa's destiny, and fostering Africa's place in the world.[22] There are seven primary aspirations that comprise the Agenda 2063. These aspirations stem from the eight priority areas mentioned above. These priority areas have been further broken down into 18 goals which are further distilled into 44 priority areas. Furthermore, the 44 areas are finally watered down to 161 unique and distinctive national-level targets. Thus, the vision of Agenda 2063 is broadly comprehensive and covers the issues of identity, political independence, self-determination, and socioeconomic development in light of globalization (Table 1).

In preparing the Agenda, the African Union Commission preliminarily designed 11 multistakeholder groups for broader consultation. These included the (RECs) and all AU organs, technical experts from member states, technical experts from academia and think tanks, civil society, women and youth, the private sector, faith-based and cultural organizations, Africans in the Diaspora, Africa's eminent persons, former heads of state and government, as well as citizens through Internet-based consultations.[24] This approach empowers and challenges the ordinary African citizens to take responsibility in implementing and shaping the destiny of continent. The framework entails 12 flagship projects which are regarded as priority in implementing the Agenda. These projects include the establishment of African financial institutions, formulation of a commodities strategy as well as ending wars, civil conflicts, and gender-based violence. Other projects are an integrated high-speed train networks

Table 1 The seven-point agenda 2063[a]

Agenda	Aspirations
1	A prosperous Africa based on inclusive growth and sustainable development
2	An integrated continent, politically united, based on the ideals of Pan-Africanism and the vision of Africa's renaissance
3	An Africa of good governance, democracy, respect for human rights, justice, and the rule of law
4	A peaceful and secure Africa
5	An Africa with strong cultural identity, common heritage, values, and ethics
6	An Africa whose development is people driven, relying on the potential of African people, especially its women and youth, and caring for children
7	Africa as a strong, united, and influential global player and partner

Source Agenda 2063—The Africa we want, 2015

[a] African Union Commission, *Agenda 2063: The Africa We Want,* Popular Version, Final Edition, (Addis Ababa: African Union, 2015) (African Union Commission 2015a)

that connect all African capitals as well as commercial centers, an African e-university that offers students easy access from anywhere on the globe, and the Africa outer space strategy that aims to use outer space to bolster development in agriculture, disaster management, remote sensing, climate forecast, banking and finance, as well as defense and security.

This framework also includes national-level strategic targets such as achieving a 100% literacy rate by 2030, universal access to quality health care and services by 2030, annual GDP growth of not less than 7% during the period, 50% of all elected officials at local, regional, and national levels to be women by 2030, Africa's share in global GDP to be 15% by 2063 as well as the science, technology, and innovation centers in Africa to have at least 15% of the world's patents by 2063.[25] It boldly asserts that the proportion of aid in national development budgets in all African countries must be zero by 2030.[26] In all, there are more than 160 national-level targets captured in the framework. Undeniably, Agenda 2063 requires serious consideration and focus with substantial effects likely to be witnessed by individuals, countries and the continent as well as the world.

From conceptualization through design to its current implementation phase, Agenda 2063 appears quite different from previous continental development agendas such as the Lagos Plan of Action.[27] The Agenda is more detailed with specific goals, strategic priorities, and targets. These strategic goals and priorities are challenging but realistic and achievable. The priority areas are very critical and relevant to the continent's emerging needs, and the strategic targets are directly specific and quantified.[28] These goals, priorities, and aspirations raise important educational questions including the sustainable management of the transformations, modernization of agriculture and natural resource management and infrastructure development, climate change adaptation and mitigation and sustainable development, education and capacity building, private-sector engagement, transformative governance as well as incentives, sociopolitical buy-in and broader continental ownership.

Furthermore, there are other critical questions that are arising within the African Union member states at different levels of development as well as commitment to the vision and aspirations of the Agenda. It has been argued that the more developed African economies such as Nigeria, South Africa and Egypt may regard the Agenda differently from the less developed and/or struggling countries such as Burundi and Guinea Bissau.[29] This is because the Agenda's goals and aspirations

are comprehensive and cover wide range of human development issues. Therefore, this requires multidisciplinary and integrated approaches as well as different educational and human capacity building methods.

Despite the promising nature of the vision, priorities, and action plans, there are several key issues related to the implementation of the Agenda that need to be identified and addressed. The chapter identifies education among the lot and argues that it is the bedrock for resolving all the other issues that can impede the realization of the Agenda. Quality education is needed to raise and equip the human capacity required to man the new institutional arrangements to effectively move the Agenda toward realized change, development, integration, and transformation. This is very important. Acemoglu and Robinson observe that Africa is in critical need of developing inclusive political and economic institutions.[30] It should be observed that although the Agenda rightly demands for inclusive growth and sustainable development, these are not possible without quality education and associated inclusive institutions. The experience of other developing countries elsewhere shows that it is not enough just to reform 'institutional arrangements'. There is the need for Africa to build effective institutions that are capable of balancing and protecting competing political, economic, and social interests without resorting to conflict or fragility. A critical area of importance is good governance and quality education. Indeed, the AUC asserts that previous continental agendas such the Lagos Plan of Action (Abuja Treaty) demonstrate for the Agenda 2063 to succeed, however, the citizens of Africa must own the process and drive the outcome.[31] Therefore, the issue of ownership needs to be addressed since it has significant implications for the buy-in, commitment as well as resourcing, monitoring, and sustainable implementation of the Agenda.

3   EDUCATION: AN INSTRUMENT FOR REALIZING THE AGENDA 2063

It has been acknowledged that implementing Agenda 2063 could be hindered by lack of human capacity.[32] Africa's most significant challenge is to invest in capacity building through enhanced education in science, technology, engineering, and mathematics.[33] This implies that there is the need for measures that enhance change in the mind-set of people as well as build the capacity of Africa's human resource through education, research, and knowledge acquisition. The need for greater

clarity on the roles and obligation of regional, subregional, and national institutions in the implementation of the Agenda is underscored. This will create an avenue for the Agenda to be aligned with other existing regional, subregional and national-level frameworks and aspirations as well as strengthen ownership and domestication of the Agenda by member states. Education[34] has been variously defined. It has been described the process of becoming aware of one's environment for a better and informed decision-making. Conceptually, education is defined as entailing a lifelong formal and informal process of equipping an individual to be fully aware of his environment and to exploit, manage, and dominate same for the benefit of himself and the society at large.[35]

UNICEF argues that education is the bedrock of sustainable development and serves as the pivot around which socioeconomic and political developments as well as cultural transformation of a society revolve.[36] Lawal describes education as the process of acquiring knowledge, skills, attitudes, interest, abilities, competence, and the cultural norms of a society by people and to transmit this life to the coming generations, so as to enhance perpetual development of the society.[37] These definitions capture two things. They highlight the dynamics of education and acknowledge education as a process that different individuals can have different levels of education either formally or informally acquired over a lifetime. On the other hand, the definitions and conceptualizations unpack the essence of education 'to produce a useful citizen'.[38] It can be argued that a useful citizen is useful both to himself and play relevant role in advancing the sustainable development of the society in which he or she lives as well as to the global community.

Education 'is an indispensable key to, though not a sufficient condition for, personal and social improvement…education can help ensure a safer, healthier, more prosperous and environmentally sound world, while simultaneously contributing to social, economic, and cultural progress'.[39] The following can be deduced from the conceptual and definitional analysis above. For the purpose of this chapter, the relevant words are the following:

1. aware of his environment and,
2. for the benefit of himself and the society at large,
3. formal and informal process,
4. lifelong, and
5. to exploit, manage, and dominate same.

Therefore, in realizing Agenda 2063, the African Union must ensure that Africa's education systems are churning out useful citizens who are educated sufficiently to be aware of their environment in terms of development aspirations, and are capable of dominating and realizing the same. On this premise, the begging question is 'are the educational systems and policies in Africa designed and underpinned by the principles as discussed above'. What efforts are being made to ensure that the current educational systems are training people to be aware of their environment and to dominate same for self and society at large?

On the other hand, development has been narrowly defined as an increase in gross domestic product (GDP) of a country. This narrow understanding and conceptualization of development is misleading. Most African countries have been experiencing steady economic growth over the last decade without corresponding socioeconomic development. In Nigeria, the GDP was estimated at some miserable US$36 billion in 1999.[40] In 2015, it had risen to an estimated US$489.2 billion.[41] Ghana, Kenya and Rwanda have all been experiencing an average growth rate of more than 5% since the last decade.[42] Conversely, the poverty gaps in these countries keep widening.[43] However, it is well known that this economic growth has been associated with an increasing poverty and unemployment. Similar cases like this across the continent have created a negative spate of democratic reversals as well as the potential reversals in other smoldering cauldrons.[44] Without a carefully mapped out plan to implement the Agenda, this kind of development is what Africa will experience instead of the Africa we want. Development has therefore been contemporarily conceptualized as 'a process concerned with people's capacity in a defined area over a defined period to manage and induce positive change through predicting, planning, understanding and monitoring change as well as reducing or eliminating unwanted or unwarranted change'. This indicates that the African peoples and institutions must be informed, rational and clear about their choices, their obvious destination as well as the direction.[45] Achieving this will require that such people and institutions must have a degree of education.

Through Agenda 2063, Africa's political leadership has agreed on the need to optimize Africa's resources for the benefit of all Africans. It has been argued that achieving this requires the building of the requisite human capital as well as empowers Africa's youth, scientists, researchers, and innovators to drive the execution and realization of the Agenda.[46] Admittedly, Africa's prospects of becoming the twenty-first-century engine

of growth are already emerging. The African Development Bank argues that the continent is 'undergoing four major tectonic shifts painting a paradox of prosperity and poverty, dynamism of youth and disease'.[47] It further argues that overcoming this paradox requires rapid innovative and high-impact interventions in the education and research front.[48]

The AU has ostensibly engaged high gear in taking on the enormous challenges the continent faces.[49] Nevertheless, much work needs to be done in order for the ordinary Africans to own the process of Africa's renewal and work side by side with the AU to create and build the Africa we want by 2063. To realize this, the peoples and institutions of Africa have to decide what they are best able to contribute as well as identify others with similar convictions. The implication is that the renewal of Africa pointedly articulated in the Agenda 2063 must be driven by the people. Therefore, brining on board the common people will enable ownership of the Agenda by ordinary Africans and will also facilitate grassroots participation. This will address the deeply felt grievance that the African Union is a club of dictators' who are out of touch with the needs and aspirations of the African peoples. It has been emphasized that there can be no grassroots ownership and participation in realizing the Agenda if it has not been integrated into the existing educational systems and policies.[50] Agenda 2063 needs the backing of educational and sustainable planning theories, frameworks, concepts, methods as well as tools for its effective and sustaining implementation. It is, therefore, argued that African governments as well as institutions need to integrate the Agenda into their national education plans, strategies, pedagogies, and curriculum from basic school to tertiary level.[51]

4   EDUCATION, THE WAY FORWARD TO 2063

The purpose of this chapter was to inform policy makers, scholars, and practitioners interested in the transformation and development of Africa about the continent's 50-year roadmap for transformation—Agenda 2063. Of course, the details constituting Agenda 2063 are extensive. Thus, it provided breathe and concise overview of the strategic goals, priority areas, and aspirations. In addition, because Agenda 2063 is in its initial phase, the chapter discussed some key issues that need to be addressed in order for it to be realized. Considering these issues and the poor quality of education particularly research and innovation on the African context, it is recommended that the continent's educational systems is reformed toward the

following: (1) building and equipping human resources, (2) strengthening national educational institutions, (3) mounting a robust regional identity among the peoples of Africa (3) leveraging existing resources and building a comparative advantage, and (4) conducting more rigorous research on the African context, focused on realizing the Agenda. It is believed that quality human resource base is required to forge strong institutions, build a strong regional identity, as well as develop comparative regional advantage based on existing resources. This will form an important building block to realize the Agenda's strategic objectives of achieving structural transformation, as well as unity, prosperity, and peace for all of Africa's citizens.

5   Conclusion

This chapter sought to inform the discourse on the relevance of education to the effective realization of Africa's 50-year roadmap and plan for transformation, Agenda 2063. Evidently, like any revolutionary agenda, the Agenda 2063 contains comprehensive documents and details. Being in its initial phase, thus, there is the need to provide a succinct synopsis of the prime spur, main strategic objectives, as well as the programmed projects and how education can be utilized to achieve these strategic intentions. Therefore, this chapter outlined the key issues that need to be considered and addressed in order to realize Africa's desired transformation as set in the Agenda. Among several issues, the chapter makes a strong case for African governments and development partners to integrate Agenda 2063 into regional and national educational policies. It argues that building strong institutions as well as forming a strong regional identity at the international pedestal to achieve the aspirations and objectives set out in the Agenda requires a robust complementary educational strategy. This is because, as discussed in the chapter, developing a home region advantage based on existing natural and human resources are imperative building blocks to realize the structural transformation, continental unity, shared prosperity, and sustainable peace for all of Africa's citizens as envisaged in the Agenda. In conclusion, it should be observed as discussed in the chapter that 'Agenda 2063 is too important and strategic to be left to the African Union alone'. The renewal of Africa must be driven by the people and governments on the continent through adopting and integrating Agenda 2063 into their national educational policies, programmes and plans and, by extension, into educational curricula to make its realization a possibility.

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