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**OPEN AND DISTANCE LEARNING AS AN INSTRUMENT OF  
PROTECTING THE RIGHT OF ACCESS TO EDUCATION: THE  
NIGERIAN EXPERIENCE**

**Abstract:**

Education is a right. Education is an extraordinary tool of empowerment and it is essential for the promotion and protection of all human rights. Various international treaties, covenants and conventions since 1948 as well as writings of publicists have stressed the importance of the fundamental right to education. The Universal Declaration of Human Rights (UDHR), the International Covenant on Economic and Social Rights (ICESCR), the Covenants on the Rights of the Child (CRC) as well as the African Charter on Human and Peoples' Right (ACHPR) contain provisions which protect the right to education. The International Human Rights Law holds the state primarily responsible for the implementation of the right. Accordingly, it is incumbent on the state parties to ensure the realization of the right to education through policy, administrative and legislative measure. A critical component of the right to education is the right of access to education. Invariably, a denial of the right of access to education is a fundamental violation of the right to education. Lack of access to education is acute in Nigeria and efforts to address the problem have met with limited success. This article therefore seeks to examine the varied ways in which the Open and Distance Learning Education has been used to address the problem of access to the right to education in Nigeria. This article also examines the essentials of Open and Distance Learning (ODL) and in particular, how Nigeria has used the ODL mode of study (through the National Open University of Nigeria) as an instrument of social justice in surmounting the challenges of accessibility to education in Nigeria. The work examines the successes and failures of using the ODL system in protecting the right of access to education. The writers are of the view that the ODL system has played significant role of addressing the right to education and that other policy and legislative measures are still necessary in achieving right of access to education.

**Keywords:**

Open and Distance Learning; access to education; right to education

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