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LANGUAGE POLICY AND THE LAW IN NIGERIAN EDUCATION: EXAMINING THE LEGAL STATUS OF INDIGENOUS LANGUAGES VERSUS ENGLISH MEDIUM INSTRUCTION

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ABSTRACT

Language policy represents one of the most contentious and consequential domains of educational governance in multilingual Nigeria. This paper examines the legal frameworks governing language use in Nigerian education, analyzing tensions between constitutional provisions protecting indigenous languages and the practical dominance of English medium instruction. The Nigerian Constitution explicitly mandates that National Assembly business be conducted in English, Hausa, Igbo and Yoruba when adequate arrangements exist. The National Policy on Education stipulates that, children should receive instruction in their mother tongue or the language of the immediate community for the first four years of basic education, with English taught as a subject before becoming the medium of instruction from junior secondary level. However, implementation reveals dramatic gaps between legal provisions and actual practice. Research examining adherence to language policy found that private schools exhibit substantially lower implementation rates than public schools, urban areas lag behind rural areas in mother tongue instruction, and southern regions trail the north. Ironically, students taught primarily in English demonstrate better literacy outcomes than peers taught in indigenous languages, contradicting pedagogical theories about mother tongue advantages. Multiple challenges undermine indigenous language instruction including shortage of trained teachers proficient in local languages, lack of standardized teaching materials and textbooks in hundreds of Nigerian languages, parental preference for English based on perceived economic advantages, and practical difficulties in ethnically diverse urban communities where no single indigenous language predominates. The federal government's November 2025 decision to cancel the mother tongue policy and declare English as sole medium of instruction across all education levels reflects these implementation realities, though this reversal sparked intense criticism from language preservation advocates. This policy volatility demonstrates unresolved tensions between linguistic nationalism promoting indigenous languages, educational pragmatism favoring English proficiency, and the fundamental challenge of implementing coherent language policy across over 500 languages. The paper recommends developing standardized orthographies and teaching materials for

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major Nigerian languages, creating effective teacher training programs in mother tongue pedagogy, implementing gradual transitional bilingual education models rather than abrupt switches, and establishing clear constitutional frameworks that balance indigenous language preservation against English proficiency needs.

Keywords: Language Policy, Indigenous Languages, English Medium Instruction, Mother Tongue Education, National Policy on Education, Multilingualism, Language Rights, Educational Law

Introduction

Language policy in education represents far more than technical curriculum decisions about which languages appear on school timetables. Language choices fundamentally shape whose knowledge counts as legitimate, which communities gain access to educational opportunity, and how power distributes across ethnically diverse societies. In Nigeria, these stakes intensify dramatically given the country's extraordinary linguistic diversity. Current estimates indicate Nigeria contains over 500 indigenous languages spread across its territory, making it one of the most linguistically complex nations globally (Pan African Review, 2023). This linguistic richness creates both opportunity and challenge for educational policymakers attempting to design language frameworks that respect cultural identity while ensuring students acquire competencies needed for economic participation.

The colonial legacy profoundly shaped Nigeria's contemporary language challenges. When Britain consolidated colonial control over Nigeria, English became the administrative tool through which the new territory would be governed. English dominated official domains of colonial life, serving as the language of government, courts, and commerce. The colonial administration formally intervened in education in 1882 by promulgating laws making English the medium of instruction at all educational stages and requiring English be taught as a subject throughout schooling (IJHSS, 2015). This policy necessarily served colonial objectives of making the colonized assimilate into British culture and ways of life rather than developing indigenous educational systems. Indigenous languages faced systematic marginalization, increasingly viewed as inferior compared to the prestige language of the educated class.

Post-independence governments inherited this colonial language hierarchy but attempted rebalancing priorities toward indigenous language promotion. After gaining independence in 1960, Nigeria began reevaluating language policies to promote linguistic diversity and preserve cultural heritage. The government formulated National Language Policy frameworks emphasizing mother tongue education at foundational levels. Constitutional provisions emerged recognizing linguistic diversity and requiring government protection of

indigenous languages. However, implementation proved far more complicated than policy formulation, revealing persistent tensions between nationalist aspirations for indigenous language preservation and pragmatic recognition that English proficiency provides competitive advantages in globalized economies.

Recent policy developments demonstrate these ongoing tensions dramatically. In November 2022, the federal government approved a National Language Policy mandating that primary school students receive instruction in their mother tongue from early childhood through primary six, with English taught as a subject but not used as medium of instruction until junior secondary level. The policy aimed to promote indigenous languages, recognize their equal status, and improve early learning outcomes (Vanguard, 2025). However, just three years later in November 2025, the Minister of Education announced cancellation of the mother tongue policy, declaring English as the sole medium of instruction across all education levels from primary through tertiary institutions (Vanguard, 2025). This dramatic policy reversal, justified by data showing students taught in indigenous languages performed worse on national examinations than English-taught peers, sparked intense debates about the legal status and practical future of indigenous languages in Nigerian education. This paper examines the legal frameworks governing language use in education, analyzes implementation challenges, and explores how Nigeria might balance indigenous language preservation against English proficiency imperatives.

Constitutional and Legal Frameworks for Language in Education

The Nigerian Constitution provides the foundational legal framework for language policy, though constitutional provisions remain limited and somewhat ambiguous regarding educational language use. Section 55 of the 1999 Constitution addresses language explicitly but focuses narrowly on National Assembly proceedings rather than education broadly. This provision states that National Assembly business shall be conducted in English, and in Hausa, Igbo, and Yoruba when adequate arrangements have been made (Nigerian Constitution, 1999). The conditional phrasing regarding the three major indigenous languages proves significant, as it establishes English as the guaranteed language of legislative business while treating Hausa, Igbo, and Yoruba as aspirational additions dependent on practical arrangements. Over two decades after constitutional adoption, adequate arrangements for routine use of indigenous languages in the National Assembly remain unrealized, demonstrating the gap between legal provisions and implementation capacity.

Beyond this specific legislative language provision, the Constitution recognizes linguistic diversity more generally through provisions requiring government to preserve and promote indigenous languages. Legal scholars note that the

Constitution recognizes the importance of linguistic diversity by stating that every individual possesses the right to use the language of their choice, and that government must ensure preservation and promotion of indigenous languages (Disciplines.ng, 2024). However, these general principles lack the specificity and enforcement mechanisms needed to translate constitutional aspirations into concrete educational practices. The Constitution does not mandate specific language use in schools, leaving detailed policy formulation to subsidiary instruments like the National Policy on Education.

The National Policy on Education represents Nigeria's primary policy instrument for language in education, evolving through multiple revisions since initial adoption. The Policy emphasizes mother tongue education importance, stating that children should be taught in their native languages at early educational stages. Section 1, Sub-section 8(g) of the revised National Policy stipulates that every child shall be taught in the mother tongue or in the language of the immediate community for the first four years of basic education (NERDC, 2014). Additionally, the Policy expects that every child shall learn one Nigerian language beyond their mother tongue. Section 2, Sub-section 20(d) further clarifies that the medium of instruction in primary school shall be the mother tongue or language of the immediate environment, while English shall be taught as a subject rather than serving as instructional medium during these foundational years (EBSU-JSSH, 2023).

The 2022 National Language Policy represented an attempt at comprehensive language planning covering educational and broader societal domains. This policy mandated indigenous language instruction from early childhood education through Primary Six, meaning the first six years of learning would occur in mother tongue (MultiLingual, 2022). English would be taught as a subject throughout this period but would only assume medium of instruction role from junior secondary education onward. The policy also introduced additional provisions including mandatory French instruction from Primary Four, optional Arabic and French study at post-basic levels, and encouragement of bilingualism at tertiary education (Akomolafe, 2024). These comprehensive provisions aimed at developing truly multilingual citizens capable of functioning in indigenous languages, English, and international languages like French.

However, the dramatic November 2025 policy reversal demonstrates the contested legal status of these language provisions. The Minister of Education announced that the National Language Policy had been cancelled, with English now standing as the medium of instruction across all education levels (Vanguard, 2025). The government justified this reversal by citing implementation challenges and empirical data suggesting students taught primarily in indigenous languages recorded higher failure rates in national examinations and

struggled with basic English comprehension. The Minister urged stakeholders with differing views to present verifiable data supporting their positions, emphasizing that government remained open to evidence-based dialogue (Vanguard, 2025). This cancellation occurred despite constitutional provisions ostensibly protecting indigenous languages, revealing the limited enforceability of general constitutional principles absent specific implementing legislation with clear mechanisms and adequate resources.

Implementation Challenges and Practical Realities

Implementation of indigenous language education policies faces multiple interconnected challenges that severely limit effectiveness regardless of legal mandates. The sheer linguistic diversity across Nigeria creates practical complications that simpler language environments do not encounter. With over 500 indigenous languages distributed across the national territory, developing comprehensive educational materials, training adequate teachers, and standardizing orthographies represents an enormous undertaking requiring sustained resources and political commitment. Many Nigerian languages lack standardized written forms, making it impossible to produce textbooks or teaching materials without prior language development work establishing agreed orthographic conventions.

Teacher shortages represent perhaps the most immediate practical constraint on mother tongue instruction. Research examining implementation challenges identified teacher shortages and inadequate capacity as primary obstacles facing the National Language Policy (Akomolafe, 2024). Even when schools nominally commit to mother tongue instruction, finding teachers who possess both pedagogical training and fluency in specific local languages proves extremely difficult in many contexts. The problem intensifies in urban areas characterized by ethnic diversity, where schools may enroll students from numerous different language backgrounds. A teacher fluent in Yoruba may face a classroom containing Igbo, Hausa, Fulani, Tiv, and Ijaw children, none of whom speak Yoruba as their mother tongue. In such contexts, English often emerges as the only common language both teacher and students share.

Teaching material availability presents another critical constraint limiting indigenous language instruction. Previous policy frameworks acknowledged that many teachers report lacking sufficient access to teaching materials in local languages, making it impossible to implement mother tongue instruction regardless of policy mandates (MultiLingual, 2022). The Nigerian Educational Research and Development Council recognized these material shortages when introducing the 2022 policy, noting that transitioning to local language medium of instruction would require major overhaul of textbooks and

other materials to properly accommodate the new framework. The 2025 education policy updates indicate progress occurring in material development, with the National Teachers Institute organizing capacity building programs and publishing firms collaborating with states to produce textbooks in Hausa, Yoruba, Igbo, Efik, Tiv, Kanuri, and other Nigerian languages (My School Insight, 2025). However, these efforts cover only a fraction of Nigeria's 500+ languages, leaving many linguistic communities without adequate instructional materials.

Systematic research examining actual implementation patterns reveals stark disparities in mother tongue instruction adherence across different contexts. A comprehensive study evaluating adherence to language policy using Multiple Indicator Cluster Survey data found that private schools exhibit substantially lower implementation rates than public schools, urban areas lag significantly behind rural areas in mother tongue use, and southern regions trail northern regions in indigenous language instruction (ScienceDirect, 2024). These patterns reflect several underlying dynamics. Private schools, particularly those catering to middle- and upper-class families, face market pressures from parents who prefer English instruction believing it provides competitive advantages for their children. Urban schools encounter greater ethnic diversity making single indigenous language use impractical. Southern regions demonstrate stronger English preferences compared to northern areas where indigenous languages maintain stronger social presence.

Parental attitudes represent a formidable obstacle to indigenous language instruction implementation. Many Nigerian parents actively prefer that their children learn in English rather than mother tongue based on beliefs that internationally important languages provide competitive advantages in later life (Akomolafe, 2024). This preference reflects rational assessment of economic realities in globalized labor markets where English proficiency opens doors to employment opportunities both within Nigeria and internationally. Some analysts observe that within the past decade and a half, Nigeria has changed substantially such that in many homes no genuine mother tongue exists but rather a teacher tongue, meaning the language of educational instruction, English, is spoken at home with the understanding that children who speak English at home are smarter than those who do not (Pan African Review, 2023). This cultural shift toward English home use undermines policy assumptions that children arrive at school with strong mother tongue foundations requiring only educational reinforcement.

Perhaps most problematically, empirical evidence on learning outcomes appears to contradict pedagogical theories favoring mother tongue instruction. The comprehensive study examining language policy adherence also investigated relationships between language of instruction and literacy outcomes using regression and propensity score matching

analysis. Contrary to prevailing notions that teaching children in indigenous languages improves learning outcomes, the findings showed that students taught in English substantially outperformed peers taught in indigenous languages on literacy assessments (ScienceDirect, 2024). This counterintuitive result requires careful interpretation. The superior English-taught student performance may reflect confounding factors such as better resourced schools choosing English instruction, more educated parents selecting English medium schools, or measurement issues if literacy assessments themselves use English. Nevertheless, these findings provided empirical justification the government cited when canceling the mother tongue policy in 2025.

Comparative Perspectives and International Practice

International experience with multilingual education provides useful comparative context for understanding Nigeria's language policy challenges. Many countries successfully implement mother tongue education despite linguistic diversity, suggesting that Nigeria's difficulties reflect implementation choices and resource constraints rather than inherent impossibility. The new National Language Policy introduced in 2022 explicitly drew inspiration from international models, mirroring language policies of nations such as Japan, Tanzania, Germany, China, South Africa, and Kenya where primary level education occurs in indigenous languages (Pan African Review, 2023). Research has linked mother tongue education with increased innovation and creativity among learners, while countries committed to mother tongue instruction cite benefits including strengthening citizen identity, appreciating indigenous knowledge, and upholding national dignity.

India offers particularly relevant comparative lessons given similarities to Nigeria including extraordinary linguistic diversity, colonial English legacy, and federal governance structures. India officially recognizes twenty-two scheduled languages in its Constitution, with individual states using regional languages such as Hindi, Bengali, Tamil, Telugu, and others for educational instruction and court proceedings (Ikanke, 2023). While English continues serving as associate official language at federal level, regional languages dominate primary education in most states. This multilingual approach allows India to preserve linguistic diversity while maintaining English for inter-regional communication and international engagement. However, India benefits from factors Nigeria lacks including longer post-independence language planning, substantial investment in regional language development, and geographic concentration of language communities allowing state-level policies matching linguistic territories.

African comparisons prove instructive given shared colonial legacies and development challenges. Tanzania represents frequently cited success case where Swahili serves as national language

of instruction despite the country containing over 120 ethnic languages. Tanzania's success reflects historical factors including Swahili's established role as lingua franca predating colonization, government commitment to language development immediately after independence, and relatively lower ethnic politicization compared to Nigeria. Kenya adopted policies similar to Nigeria's, mandating mother tongue instruction in early primary grades before transitioning to English and Swahili. However, Kenya also struggles with implementation challenges including teacher shortages, material scarcity, and urban diversity complications.

South Africa's multilingual education policies offer both inspiration and cautionary lessons for Nigeria. The South African Constitution recognizes eleven official languages and requires government to promote conditions for their development and use. However, implementation reveals that English dominates education despite constitutional multilingualism, particularly in urban areas and among middle-class families seeking perceived advantages of English proficiency. This South African experience mirrors Nigerian dynamics where constitutional protections for indigenous languages prove insufficient against economic pressures favoring English. The parallel suggests that effective indigenous language promotion requires more than legal frameworks, demanding sustained resource investment, political commitment, and addressing underlying socioeconomic factors driving language choices.

Stakeholder Perspectives and Policy Debates

Different stakeholder groups articulate sharply divergent perspectives on appropriate language policy for Nigerian education, reflecting underlying tensions between competing values and interests. Language preservation advocates argue passionately that abandoning indigenous language instruction threatens cultural survival and national identity. They contend that so much indigenous knowledge and cultural heritage has already disappeared due to language loss, and that continued English dominance will accelerate extinction of minority languages. These advocates emphasize that language represents far more than communication tool, serving as repository of cultural wisdom, worldview, and historical memory that vanishes when languages die. The government's stated commitment to preservation of cultures and their unique characteristics in establishing the 2022 National Language Policy reflected these preservation concerns (Pan African Review, 2023).

Educational researchers who study multilingual pedagogy typically support mother tongue instruction based on learning theory and empirical evidence from international contexts. They argue that children learn more effectively when instruction occurs in languages they understand fluently, that strong mother tongue foundations facilitate subsequent learning of additional languages including English, and that multilingual education develops cognitive flexibility benefiting

overall academic achievement. The Nigerian Educational Research and Development Council acknowledged international Mother Language Day recognition and UNESCO's emphasis on multilingual education's role in advancing inclusion and quality learning (Akomolafe, 2024). These researchers contend that Nigerian students perform poorly not because mother tongue instruction inherently produces bad outcomes, but because implementation failures including inadequate teacher training and material shortages undermine pedagogical effectiveness.

Parents and families express predominantly pragmatic concerns prioritizing English proficiency over indigenous language preservation. Surveys and observational research consistently find that most Nigerian parents prefer their children receive English medium instruction, viewing English competence as essential for employment prospects and social mobility. This parental preference proves strongest among educated urban middle classes but extends across socioeconomic categories. Parents recognize that university education, professional employment, international opportunities, and access to global knowledge all require English proficiency. They worry that years spent learning in indigenous languages may disadvantage their children in acquiring English competencies needed for educational and career success. These parental preferences create market pressures on schools, particularly private institutions dependent on tuition revenue, to offer English instruction regardless of government policies mandating mother tongue use.

The business community and employers generally favor English medium education based on workforce skill requirements. Private sector employers consistently report that many university graduates lack adequate English proficiency for workplace communication, document preparation, and professional interaction. Given that English serves as Nigeria's official language for government, commerce, higher education, and international engagement, employers view strong English skills as non-negotiable employment requirement. Business leaders express concern that extended mother tongue instruction delays English acquisition, producing graduates who struggle with workplace language demands. These employer preferences reinforce parental English prioritization, as families observe that employment prospects depend heavily on English competence.

Government policymakers face the unenviable task of balancing these competing stakeholder demands while addressing practical implementation constraints and limited resources. The dramatic policy reversal between 2022 and 2025 demonstrates government responsiveness to empirical evidence and implementation realities rather than adhering rigidly to nationalist language ideology. The Minister of Education's November 2025 announcement explicitly cited performance data showing that

students taught primarily in indigenous languages recorded higher examination failure rates and struggled with basic English comprehension (Vanguard, 2025). By emphasizing evidence-based policymaking and inviting stakeholders to present verifiable data supporting alternative positions, government signaled pragmatic rather than ideological approach to language policy. However, this pragmatism generated fierce criticism from language preservation advocates who accused government of abandoning constitutional commitments to protect indigenous languages.

Conclusion

Language policy in Nigerian education reveals fundamental tensions between constitutional aspirations and practical realities, between cultural preservation imperatives and economic pragmatism, between pedagogical theories and implementation capacities. The legal framework through constitutional provisions and the National Policy on Education ostensibly protects indigenous languages and mandates mother tongue instruction at foundational educational levels. However, these legal provisions possess limited enforceability when confronting multiple implementation obstacles including linguistic diversity across 500+ languages, severe shortages of trained teachers and teaching materials, parental preferences for English instruction, and empirical evidence suggesting English-taught students outperform indigenous language-taught peers on standardized assessments.

The November 2025 policy reversal canceling mother tongue instruction and declaring English as sole educational medium represents pragmatic acknowledgment of these implementation realities. Government justification based on student performance data and examination failure rates reflects evidence-based policymaking rather than ideological commitment to either English dominance or indigenous language nationalism. However, this reversal also demonstrates the limited protection that constitutional provisions provide for indigenous languages when unsupported by adequate implementation resources and political commitment. If constitutional requirements to preserve and promote indigenous languages can be overridden by citing implementation difficulties and performance data, these provisions function more as aspirational statements than enforceable legal obligations.

The fundamental challenge Nigeria confronts involves reconciling legitimate but competing objectives. Indigenous language preservation serves genuine cultural, identity, and cognitive development purposes that deserve serious consideration. Simultaneously, English proficiency provides undeniable advantages for educational advancement, employment prospects, and international engagement in an increasingly globalized world. Current policy frameworks treat these objectives as mutually exclusive, forcing choices between mother tongue instruction or English medium rather than

seeking integration. The volatile swings between 2022 mandating indigenous language instruction and 2025 declaring English-only instruction demonstrate policy instability that serves neither objective effectively.

International comparisons suggest that effective multilingual education remains possible despite linguistic diversity and resource constraints. However, success requires sustained commitment to language development, substantial investment in teacher training and material production, and carefully designed transitional programs that build on mother tongue foundations while progressively developing English proficiency. Nigeria's repeated policy reversals reflect absence of this sustained commitment, with language policy becoming political football kicked between competing ideological camps rather than receiving the long-term strategic planning and resource investment successful implementation demands. Unless Nigeria develops stable consensus on language policy goals and commits resources needed for effective implementation, the tensions between indigenous language preservation and English proficiency will continue producing policy volatility that ill serves students, undermines cultural preservation, and fails to deliver the English competencies economic participation requires.

Recommendations

Based on these findings, several recommendations emerge for developing more effective language policy in Nigerian education. Government should establish clear constitutional amendment or comprehensive legislation clarifying the legal status of indigenous languages in education beyond general preservation statements, specifying which languages receive support for educational development, defining resource commitments government undertakes for indigenous language instruction, and creating enforcement mechanisms ensuring policy implementation rather than treating provisions as aspirational goals. Priority should focus on the three constitutionally recognized languages (Hausa, Igbo, Yoruba) plus strategic minority languages representing major linguistic families, developing standardized orthographies, comprehensive teaching materials, and trained teacher cadres for these languages before attempting expansion to all 500+ languages. Implementation should adopt transitional bilingual education models that begin with mother tongue instruction in early grades while systematically introducing English, gradually increasing English use while maintaining mother tongue literacy development, and achieving balanced bilingualism rather than forcing exclusive choices between indigenous languages or English.

Teacher preparation requires massive investment through pre-service training programs preparing teachers for multilingual pedagogy, in-service professional development for existing teachers in mother tongue instruction methods, adequate compensation ensuring

teaching in local languages remains attractive career option, and strategic deployment matching teacher language competencies with community languages. Material development needs coordination between federal investment in standardized curriculum frameworks and textbooks for major Nigerian languages, state-level adaptation to local language variants and community contexts, partnership with publishers creating commercially viable indigenous language materials, and digital technology leverage enabling broader material distribution. Policy stability demands establishing independent language policy commission insulated from political pressures, conducting rigorous ongoing research on implementation effectiveness and student outcomes, building broad stakeholder consensus through inclusive consultation processes, and committing to sustained implementation timelines measured in decades rather than expecting immediate results. Finally, realistic resource assessment should calculate actual costs of effective indigenous language instruction, secure dedicated funding streams rather than relying on general education budgets, and implement phased rollout beginning with communities possessing strongest capacity rather than attempting universal immediate implementation destined for failure.

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