

**Human Rights Education in India****Dr. Prativa Panda***Reader, University Law College, Utkal University, BBSR, (Odisha) India***Abstract**

Human rights education could be defined as ‘all learning that develops the knowledge, skills, and values of human rights. Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. This article seeks to emphasize on the importance of human rights education in a student’s career. It discusses human right provisions in light of the Universal Declaration of Human Rights and the guidelines provided by UNESCO in the context of Human Rights in India. The article will further focus on the need for human right education to be contemporary and in tune with the changing society. It will conclude by stating that human rights education should be made a compulsory part of education curriculum programme.

**Key Words:** Human right education, Human rights, curriculum

**Introduction:**

The basic rights and freedoms to which all humans are entitled to are known as **Human rights**. It include civil and political rights, and social, cultural and economic rights, including the right to participate in culture, the right to work, and the right to education "Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace"<sup>i</sup>

**Definitions and Objectives of Human Rights Education:**

The General Assembly of UN Decade for Human Rights Education defined it as First it is a lifelong process, addressing not only school children in formal education systems. Second it is a comprehensive process that involves all members of society. Third, it is an empowering process

that enables people to take control of their lives by identifying violations and learning how to use the existing mechanisms.

Human rights education could be defined as ‘all learning that develops the knowledge, skills, and values of human rights.<sup>ii</sup> Human rights education helps in ‘promoting democratic principles’<sup>6</sup>and ‘critical thinking essential to a democracy. Human rights education also helps impart knowledge about the various ways in which the laws are being violated (or about the lack of legal framework) and how lack of access to legal system also leads to the violation of the human rights. The human rights education aims at ‘understanding and embracing the principles of human equality and dignity and the commitment to respect and protect the rights of all people<sup>iii</sup>

Human right education can also be defined as, training and information aiming at building a universal culture of human rights through the sharing of knowledge imparting of skill and moulding of attitudes directed to:

- (a) The strengthening of respect for human rights and fundamental freedoms;
- (b) The full development of the human personality and the sense of its dignity;
- (c) The promotion of understanding, tolerance, gender equality and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and Linguistic groups;
- (d) The enabling of all persons to participate effectively in a free and democratic society governed by the rule of law;
- (e) The building and maintenance of peace;
- (f) The promotion of people-centered sustainable development and social

The multiplicity of definitions of human rights education leads us to consider the objectives of human rights education. There are three major UN objectives: reinforcing knowledge of human rights; developing capacities to apply human rights standards in daily life; and cultivating attitudes and values supportive of human rights. Human right education's mission is to encourage personal growth and acceptance of others, and to foster cooperation and peace among individuals and countries. To achieve this, a wide variety of activities in schools and collaboration with teachers and students are essential.

### **Approaches to Human Rights Education:**

There are three models or approaches to human rights education:

#### **1. The Values and Awareness approach:**

The main focus of this approach is to transmit basic knowledge of human rights

issues and foster their integration into public values.

#### **2. The Accountability approach:**

This model addresses professionals, such as lawyers, journalists, human rights advocates and monitors who are already associated with the guarantee of human rights through their Professional roles. The threat of the violation of rights is seen as inherent to their work. For advocates, the challenge is to understand human rights law and the mechanisms of Protection, and to develop lobbying and advocacy skills

#### **3. The Transformational approach:**

In this model, human rights education is geared towards empowering the individual and the community to both recognize abuses and commit to their prevention. The target audience includes people who may have suffered abuses themselves, and are thus predisposed to become promoters of human rights

All of the models have a valid place in the process of making human rights education ideals a reality.

Human Rights Education has been proclaimed by the General Assembly in December 1994, from 1 January 1995 to 31 December 2004. The Plan of Action has five objectives: -assessing needs and formulating strategies; -building and strengthening human rights education programmes at international, regional, national and local level; -developing in a coordinated way materials for human rights education; -strengthening the role of the mass media; -globally disseminating the Universal Declaration of Human Rights.

### **Legal Foundations for the Right to Education :**

## UDHR and UNESCO on Human Rights Education

The importance of human rights education could also be well understood from the various international law instruments and other relevant documents. In this regard, it is important to look into the Universal Declaration on Human Right, 1948 (UDHR) and also the UNESCO recommendations and declarations. Professor Upendra Baxi, in the Eighth Zakir Husain Memorial Lecture titled 'Human Rights Education: Promise of the Third Millennium.'<sup>iv</sup>14 has clearly indicated the emphasis on human rights education by UDHR, 1948, UNESCO Recommendation on Human Rights Education, 1974, UNESCO Montreal Action Plan on Human Rights Education, 1993. The preamble of UDHR clearly points out the need for human rights education: 'The General Assembly proclaims this Universal Declaration Of Human Rights as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms.'<sup>v</sup> Further the Article 26(2) of UDHR also points out the importance of human rights education.

### Article 26 of the UDHR:

1. 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.

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

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

### Article 13 of the Covenant:

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

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

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

(b) Secondary education in its different forms, including technical and vocational secondary education, shall be made generally available and accessible to all by every appropriate means, and in particular by the progressive introduction of free education;

(c) Higher education shall be made equally accessible to all, on the basis of capacity, by every appropriate means, and

in particular by the progressive introduction of free education;

(d) Fundamental education shall be encouraged or intensified as far as possible for those persons who have not received or completed the whole period of their primary education;

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

3. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to choose for their children schools,

4. No part of this article shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principles set forth in paragraph 1 of this article and to the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### **Article 28 of the Convention on the Rights of the Child:**

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

- a. Make primary education compulsory and available free to all;
- 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 financial 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 drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education

4. At the close of the World Education Forum, held in Dakar in April 2000, delegates of the 181 countries present adopted a framework of action that delayed until the year 2015 attainment of the objective of ensuring "quality primary education that is compulsory and free" for all children. The Forum was more prudent concerning adults as the participating countries committed to "improve the level of literacy of adults by 50%.

#### **UNESCO on Human Right Education:**

The UNESCO Recommendation: Concerning Education for International Understanding, Co-Operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, 1974 (henceforth referred to as UNESCO Recommendation on Human Rights Education, 1974) clearly points out that education is a process entailing the entire social life which includes the development

of 'the whole of their personal capacities, attitudes, aptitudes and knowledge'<sup>vi</sup>. As per the UNESCO Recommendation on Human Rights Education, 1974, the human rights education aims at 'intellectual and emotional development'<sup>vii</sup>, 'active civic training'<sup>viii</sup>, and understanding of 'conditions which perpetuate major problems affecting human survival and well-being'<sup>ix</sup>. UNESCO World Plan of Action on Education for Human Rights and Democracy<sup>x</sup> (henceforth referred to as Montreal Action Plan on Human Right Education, 1993) clearly emphasizes that the human rights education 'should be participatory and operational, creative, innovative and empowering at all levels of civil society' and that 'education should aim to nurture democratic values, sustain impulses for democratization and promote societal transformation based upon human rights and democracy.

The Vienna Declaration and Programme of Action, 1993 emphasizes human rights education and 'calls on all States and institutions to include human rights, humanitarian law, democracy and rule of law as subjects in the curricula of all learning institutions in formal and non-formal settings'<sup>xi</sup>.

### **Education in India**

The Government of India has constituted a Coordination Committee, under the chairmanship of the Home Secretary, comprising of secretaries of other ministries and departments. The Committee requested the National Human Rights Commission to draft a national plan of action for human rights education. This task was accomplished in 2001, when the National Action Plan for Human Rights Education was finalized. The plan focuses

on strategies for human rights awareness-raising and for sensitizing specific target groups (students, officers in the administration of justice, etc.). Civil society is involved in the implementation of human rights education programmes, as well as the National Human Rights Commission. The Government also reported on specific activities undertaken in the secondary and higher education sector, by the National Council of Teacher Education; the provision of financial assistance, by the University Grants Commission, to universities and colleges for the development of specific courses in human rights. India further reported on a project to establish a national resource centre at the Indira Gandhi National Open University, which would include human rights materials, with a focus on educational tools

**Indian Education Commissions** has recommended many policy documents for human right education like the **University Education Commission** (Radhakrishnan Commission, 1949), **Secondary Education Commission** (Mudaliar Commission, 1952), **Education Commission** (Kothari Commission, 1964-1966), and National Policies on Education (NPE) (1968, 1986). The Ramamurthi Committee (1992) and the Chavan Committee (1999) which were established to suggest reforms in the education system.

The Constitutional amendment bill of December 2002 had made 'free and compulsory education' a fundamental right for all children in the age group of 6 to 14 years, which led to the Education for all campaign of the Indian government, the national program to achieve universalization of elementary education. (UN Press Release, Second Periodic Report of India) Right to Education Bill was



circulated to the States in June 2006. Though the Constitutional Amendment Act has been passed, this right is a stillborn right as the corresponding legislation is not in place. Notwithstanding *Sarva Shiksha Aabhiyan* and other programmes, fundamental right to education cannot be realized all over the country in the absence of a clear policy and legislative measures, whether through a Central or State legislation. The Commission is deeply concerned about equity and quality of education, which leaves much to be desired. There are significant gaps between urban and rural areas and between elite and non-elite schools in educational attainments with backward districts and tribal people lagging behind the general public

#### **National aim in the educational sector**

##### **Education**

- by 2003: all children in school
- by 2007: all children to complete 5 years of schooling

##### **Literacy**

- by 2007: at least 50% reduction in gender gap in literacy
- by 2007: 75% increase in literacy rates

#### **Problems and difficulties faced:**

- Teachers are not sensitized to feel the need for human rights education in the regular school curriculum;
- They feel it is a subject to be covered only by teachers of civics and social studies or ASP as in GSR;
- Teachers are not skilled and trained enough to incorporate human rights education in their disciplines;
- Inadequate time is a great constraint in an overloaded curriculum;
- As it is a subject which cannot be examined and graded, the teachers are not

enthusiastic about it and give human rights education a low priority;

- Difficulties are faced in getting motivated teachers who can inspire students for human rights education;
- Efforts to network with other schools are thwarted due to lack of resources required for networking
- Inadequate financial support for HRE
- Lack of link among programs/projects related to HRE

#### **Suggestions & Conclusion**

The present experiences in implementing human rights education in schools point to several matters that require more development. They are classified under the following headings:

##### **a. In relation to the government**

1. Advocacy with the government for support for human rights education in schools;
2. Formal recognition of the work of non-governmental organizations by the government
3. By having links with National Institutions (National Human Rights Commissions, National Education Research and Training institutions, etc.)
4. Collaboration between the non-governmental organizations (participating in the present workshop) and the National Institutions; and having better communication with heads of the National Institutions.
5. Review of the school syllabus using human rights perspective, and incorporation of human rights in the school curricula;

##### **b. In relation to schools**

1. Development of materials for teaching human rights;

2. Development of training methodologies;
3. Employment of modern communication technologies;
4. Documentation and assessment of human rights education programs;
5. Creation of systems to protect teachers who teach human rights;
6. Getting the support of teachers' unions and parents-teachers associations; and
7. Adopting a system of working with the media to promote the need and work on human rights education in schools.

Human rights are a prerequisite for peace, security, development and democracy. If

human rights are violated in India, the biggest democracy in the world will be in danger. For the sake of democracy and sustainable development in India, human right education is essential

Swami Vivekananda has rightly pointed out that "Education is not the amount of information that is put into your brain and runs riot there, undigested, all your life. We must have life building, man making, and character building assimilation of ideas. If you have assimilated five ideas and made them your life and character, you have more education than any man who has got by heart a whole library."

### End Notes:

<sup>i</sup> UDHR, Art. 26.2)

<sup>ii</sup> The Human Rights Education Hand Book: Effective Practice from Learning, Action and Change available at <http://www1.umn>.

<sup>iii</sup> Devaki Jain & Sitharamam Kakarala, Making Human Rights Education Inclusive: The Indian Experience, 4 J. National Human Right Commission 74–5 (2005).

<sup>iv</sup> Upendra Baxi, Human Rights Education: Promise of the Third Millennium 8th Zakir Hussain Memorial Lecture at Zakir Hussain College, New Delhi, December 19, 1995.

<sup>v</sup> Preamble of Universal Declaration of Human Rights, 1948.

<sup>vi</sup> Article 1(a), UNESCO Recommendation Concerning Education for International Understanding, Co-Operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, 1974.

<sup>vii</sup> Article 5, UNESCO Recommendation Concerning Education for International Understanding, Co-Operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, 1974.

<sup>viii</sup> Article 13, UNESCO Recommendation Concerning Education for International Understanding, Co-Operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, 1974.

<sup>ix</sup> Article 18, UNESCO Recommendation Concerning Education for International Understanding, Co-Operation and Peace and Education Relating to Human Rights and Fundamental Freedoms, 1974.

<sup>x</sup> Adopted by the International Congress on Education for Human Rights and Democracy, Montreal, Canada, March 8–11, 1993

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