

Role of Education in Promotion and Protection of Human Rights

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Abstract:

The term 'human rights' denotes all rights that are present in our society and without which one cannot live as human beings. Human rights are the basic rights that a person irrespective of race, gender or any other background cannot be denied anywhere or at any condition. This article enhances the importance of human rights in day to day life and the role of education in protecting and promoting them. It also focuses the interrelation between RTE 2009 and HR. It is shown in the discussions below the role of HER started by UN around 60 years ago. It is shown here the potential of education to inculcate and imbibe the values of human rights and values in a person and use them in his life. The paper concludes with some suggestive measures that should be taken as a part of education programmes.

Introduction:

Human rights are rights inherent to all human beings, whatever our nationality, place of residence, sex, national or ethnic origin, colour, religion, language, or any other status. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, guaranteed by law, in the forms of international law, general principles and other sources of

international law. International human rights law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individuals of groups.

Human rights are commonly understood as basic fundamental rights that a person cannot be denied by any individual or any government simply because he or she is a human being. They are universal and same for everyone. Human rights entail both right and obligation. Human rights developing from the concepts of natural rights became culminate with the thoughts of philosophers like John Locke, Francis Hutcheson, and Jean-Jacques Burlamaqui and became prominent with American Revolution and French Revolution. Most of the basic ideas and norms of human rights existing now adopted as Universal Declaration of Human Rights by United Nations General Assembly in 1948 has its root from Second World War and the atrocities of 'The Holocaust'.¹ Every year 10 December is celebrated as Human Rights Day.

Education has a very important role to play for promotion and protection of human rights. Education makes us aware about our civil and political right often called as the first generation rights and the social, economic and cultural rights as the second generation rights. Without proper

education one cannot be introduced with these essential philosophic and their basic rights and obligations. The concept of expanding human rights through education is now popularly present and traveled to encompass as the third generation rights itself. So it is very important that we know what is the role of education in promotion and protection of human rights.

Being a tool to spread awareness and information and assimilating, creating and disseminating knowledge amongst its recipients, education can play a crucial role at each of levels for promotion and protection of human rights. But, unfortunately the education system, except for last few years after the establishment of Indian institute of human rights in 1990 which registered Universities for offering such courses in 10 December 1999, has hardly shown any credible in regards of evolvement of human rights and its protection.

Importance:

A comprehensive education in human rights consists of two components: knowledge and information on human rights and the mechanisms that protect these inalienable rights. It is important that education also impart the skills needed to promote, defend, and apply human rights in daily life. Education about human rights is distinct from other types of values education. For example, citizenship education or education for democratic citizenship (EDC) is a set of practices and activities aimed at making young people and adults better equipped to participate actively in democratic life by assuming and exercising their rights and responsibilities in society.²

The need of promoting & protecting all human rights is important in order to secure full & universal enjoyment of these rights cannot be fulfilled without mass awareness and sensitivity to human rights issues. The grand agenda of global

peace & prosperity is possible only with people understanding & imbibing the human rights values. Awareness is important in order to resolve the human right conflicts. This robust participation can be achieved only with human rights education. The Vienna Declaration adopted by General Assembly in 1993 incorporates a separate section on role of education protection and promotion of human rights.³ For example, gender is a social construction, not a biological one, and discrimination on this basis is consequently difficult to assess and address. The human rights protection and promotion of gender equality requires more than numerical equilibrium, it also requires conceptual equilibrium, and a conscientious effort to redress inequality, as it exists.

Hurdles:

Unfortunately, the very motivations and benefits of human rights pose direct challenges to their existence. Human rights are universal since they are said to belong to all humans in every society. Human rights are also supposed to be *inalienable*; because they flow from and protect human existence, they cannot be taken away without endangering the value of that existence. However, these universal and inalienable qualities of human rights are disputable in both their conception and operation.

Beyond the genesis of human rights, wherever they come from, lies a fundamental challenge to their universality, regardless of their origin. With any inception of human rights, one faced with having to acquire acceptance of their authority. There is a problem in that not everyone will share the same motivation or inspiration for human rights. Not everyone will agree that everything asserted as a human right is indeed one. At a very basic level, the proclamation and acceptance of human rights norms inherently involves majoritarian morality.

Notwithstanding that it has been more than six decades since the concept of spreading and protecting human rights as Human Right Education (HRE) first entered the lexicon of international law, it is readily apparent that HRE has not succeeded in preventing widespread human rights abuses. Wars like 'Rwanda', 'Srebrenica' and Darfur' immediately bring to mind examples of our failure to prevent catastrophic human rights violations. This because of inadequacy of education in the prevailing society. Within many nations many political debates rage over the denial or abuse of human rights. Even in prosperous, democratic countries like Canada much public discourse is phrased in the rhetoric of rights. Racism and related phenomena thrive where there is ignorance, unfounded fears of racial, ethnic, religious, cultural and linguistic or other forms of difference, the exploitation of prejudices, or the teaching or dissemination of distorted values.⁴

"It's the largest democracy in the world. It's also a big country with lots of human rights challenges. And when we have concerns, we raise them with the Indian Government," US Assistant Secretary for democracy human rights and labour Michael Posner said. The major population of India resides in villages which do not get sufficient education support. Problems like human trafficking, exploitation of women commercially and sexually, religious violations, caste related issues are some example leading to human right violations. Moreover, many prisoners in India are also denied their human rights. They are detained without adequate reason.

Role of education in promotion and protection of Human Rights:

Education is a tool for creating the real idea of human rights and making people know its importance in their day to day life. It is also a tool

for eliminating the violations of human rights. An educated civilization can only know its rights and hence have the knowledge to protect it. According to Kofi Annan, the former Secretary General of United Nations "without education, we can see beyond ourselves and our narrow surroundings to the reality of global interdependence. Without education, we cannot realize how people of other races and religions share the same dreams, the same hopes. Without education, we cannot recognize the universality of human aims and aspirations. UN mandates that education shall be directed to the strengthening of respect for human rights & fundamental freedom. These entities have been chosen because one is an expert body responsible for monitoring States' implementation of the HRE obligation in Article 13(1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the other is an inter-governmental body with an explicit mandate regarding HRE."⁵

It is important to make each and every people literate just not in order to make them educated and capable of earning but also recognize their rights towards themselves and each other. An educated person only can stand for its right. HRE is about "empowering the individual to both recognize human rights abuses and to commit to their prevention". Thus, a core part of HRE is the strengthening of respect for human rights.⁶ It is now a global responsible of every person and the government to promote education and hence promote human rights.

Article 51A(1) of Indian Constitution 1950, imposes a duty on all citizens to develop scientific temper, humanism and the spirit of inquiry & reform. The effective discharge of this duty will require HRE to give people enhanced awareness & greater openness. Right to Education has also been incorporated.⁷ The Constitution mandates

the state to direct its policy towards securing that children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom & dignity and that childhood and youth are protected against exploitation and against moral & material abandonment. HRE of the children as well as the other people is indispensable to the full realization of the responsibility under this constitutional directive. Indian state has an obligation to foster respect for international law and treaty obligations as laid down in Article 51 of the Constitution. In India is a signatory to UDHR & has ratified Civil and Political Rights Convention, Economic, Social and Cultural Rights Convention, CEDAWCRC etc. HRE is inescapable and a legal obligation.

‘Human Rights’ is not treated as a separate subject in the curricula. NCERT has felt that all contemporary concerns & issues cannot be included in the curriculum as separate subjects of study. It has culled upon incorporation of certain emerging concerns including human rights in the course content. University Grants Commission appointed Sikri Committee in 1980 to consider and report on the different ways and means for promoting HRE in India. The committee suggested inculcating values without marks weight age in schools. At college levels it was felt that all disciplines should be including human rights topics at least which are directly relevant to their disciplines.⁸ But it is disappointing to observe that the NCF 2005 has failed in identifying the content of the HRE in schools.⁹

Implementation of RTE 2009:

A Human rights-based approach of education assures every child a quality education that respects and promotes her or his right to dignity and optimum development. The right to education is marked priority on the agenda of the international community since right to education

is not only a human right in itself but also is quintessential for the exercise of all other human rights. A number of human rights treaties accepted and development and social transformation. The right to education flows directly from the right to life. The right to life and the dignity of an individual cannot be assured unless it is accompanied by the right to education.

Victims of injustice and violations of human rights will have no faith in justice and values. Right to education and HRE will fall through. The government and the society should be prepared to foot the bill if concrete results are desired.

Conclusion:

There is no doubt that education has a major role to play for protection and promotion of human rights. HRE is considered as one of the major tools to stop the violations against human rights. From the above discussion we saw the importance and how education can play a vital role in this regard.

Education should be imparted to each and everyone so that they understand the importance of human rights. Equality shall be the primary consideration in actions concerning children, respect for the views of the child are the general principals of the Convention on the Rights of a child. Education in their own mother language about human rights will make the learners more prompt about their values and ways to use them in their day to day life. The values of cultural diversity and social diversity should be inculcated as a basic teaching. For integration of human rights, the relevant subjects at the primary stage are languages & environmental studies. Stories, poems and songs concerning human rights values will have to be selected. Education should impart gender equality, respect for human dignity and rights.

Human rights concepts of religious freedom and religious tolerance can be inculcated while teaching history topics. Human rights concerns about self determination can be introduced to students while teaching them colonialism and imperialism. While teaching about *sati* and widow remarriage, suppression of women and the need for reverse discrimination can be taught. Democracy equality can enhance human values in a person. Rule of law and social justice gives immense opportunities to discuss and understand human rights and human duties. Languages offer many gateways for HRE. Stories, poems, paragraphs can be carefully selected. Themes on French Revolution, Nazism can be used to discuss the evolution of human rights. A discussion on the omnibus violations of human rights during world wars can sensitize the students.

Dramatic clubs and literary activities can be utilized effectively. Students can be motivated to write poetry, drama and essays on human rights. Poster making competition, elocution or contests, debates etc. can also be held on similar themes. The school can celebrate the 'World Human Rights Day' which can go a long way to create wariness among students, parents and the neighborhood community. Initiatives should be taken to enrich the school library and personal collection with books and materials on human rights.

All of this suggests that the time is ripe for HRE to come to the forefront of international consciousness, and to fulfill its intended role as a preventive tool. Education should be granted to one and all across the country and world. Human Rights are the basis of human values, disciplines and dignity. It should be enhanced, protected and promoted to every nook and corner with the help of education.

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5. Adopted by General Assembly resolution 2200A (XXI) on 16 December 1996, entered into force on 3 January 1976
6. Article 21A, See also Articles 30,41,45 and 51 A(k), 1995-96.
7. NCF 2005.

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