

Role of Education in Realization of Human Rights

Abstract

The aim of the present paper is to discuss the role of the education in realization of human rights and in strengthening of democratic values in the society. The other objective of this paper is to focus on the respect for cultural diversity and for human dignity, as multiculturalism should articulate itself towards the realization of human rights. Therefore, this text seeks to contribute to the discussion on the existent difficulties and possibilities, bearing in mind the creation of a citizenship formation that is able to confront secular problems and to promote the evolution into a society that is participative, active and conscious of its rights and duties— a real tolerant and democratic society. 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.

All human being are equally entitled to human rights without discrimination. These rights are guaranteed by the international law, national law, general principles and other sources. International law lays down obligations of Governments to act in certain ways or to refrain from certain acts, in order to promote human rights. Human rights are understood as basic fundamental rights that any person cannot be denied by any individual or any government simply because he or she is a human being.

Keywords: Education, Human Rights, Government, Fundamental Right, Democratic.

Introduction

Human rights refer to the fundamental freedoms and basic liberties without which men, women and children can't live with respect and dignity. We all live in a society and all our activities revolve round this societal system. We all have ambitions and aspirations in life. Nevertheless, right to life, liberty and security are the basic rights which every man, woman and child must possess. People's rights are regulated by rule of law and it is the duty of the government to enforce and protect these rights and fundamental freedoms irrespective of their caste, creed, colour, race, sex, religion and place of birth. Right to live with dignity is the natural right of a person and it is for both the society and government to ensure the full development of all men, women and children.

The history of human rights has been shaped by some important events of the world such as the Renaissance, the **French Revolution (1789)**, the **Bolshevik Revolution in Russia (1917)**, **World War II** and the **Industrial Revolution in England (1930)**. All these historical events taking place in different parts of the world at different times tell us the story of human struggle for securing human rights and fundamental freedoms. The Universal **Declaration of Human Rights, 1948**, was a major step towards the emancipation of rights of human beings. It is a basic international '**code of conduct**'. It lays emphasis on the promotion and protection of human rights of all men, women and children of the world. The Preamble of the Declaration itself embodies the expectations of human beings as also survival of humanity based on freedom, justice, peace and dignity. The declaration is a great achievement for human civilization because it embodies the need for right to life, liberty and dignity; protection against tyranny, prohibition of slavery and servitude, right to freedom of thought, expression and religion, right to education and right to participation in the cultural life of the community. All the 30 rights enshrined in the declaration are sacred commandments for mankind.

Human rights education at all levels of education is most relevant to all of us. The people should not only learn that education is an important human right but should also learn to practice human rights in their daily lives. For this purpose, the major task of the educational institute is to

Ritesh Kumar

Student,
Deptt.of Law,
Maharshi Dayanand University,
Rohtak, Haryana

sensitize the whole society in human rights education and to enable them to develop and use suitable methods and materials.

Aim of the Study

On 3rd July 2008 a green paper was adopted by the Commission which "opens the debate on education policies may better address the challenges posted by immigration and internal EU Mobility flows. An important aspect of education is that of Human Rights. Art. 26 of the UDHR recognizes the importance of education in strengthening respect for human rights and fundamental freedoms. The aims of education must be directed toward the development of each child's personality and full potential, preparing children to participate in society and to do work that is rewarding and reasonably remunerative, and to continue learning throughout life. Learning about human rights is largely cognitive, including human rights history, documents and implementation mechanisms. All segments of society need to understand the provisions of the UDHR and how these international standards affect governments and individuals. They also need to understand the interdependence of right, both civil and political and social, economic and cultural. Human rights should be the "4th R" a fundamental of everyone's essential education, along with reading, writing and "rithmetic".

Some groups, especially in formal education, emphasize cognitive and attitudinal goals for human rights education. For example, the 1985 recommendations of the Council of Europe on the "Teaching and Learning of Human Rights in Schools" (Recommendation R(85)7) give primary importance to historical and legalistic learning and seem to add "action skills"

Review of Literature

Tibbitts, F. and Fernekes, W. (2014) In Totten, S. and Pederson, J.E. (eds.) *Teaching About Social Issues in the 20th and 21st Centuries: Innovative Approaches, Programs, Strategies*. Charlotte, NC: Information Age Publishing. 2 purpose of this article is to provide an overview of some of the research that has been carried out to date, some preliminary findings, and some promising areas for future research. We are presenting these studies in categories that we think practitioners may also find useful for future reference.

Several articles have been widely referenced in regards to the theory of chapter on how to define human rights education and analyzes these definitions according to stakeholder point of view. She notes, for example, a direct link between the role an actor plays within society and its understanding of human rights education, as e. g. governmental actors emphasize the harmonizing function of human rights education and deny the critical potential of human rights education, contrary definitions of human rights education by NGOs tend to be transformative (Flowers, 2016). To the field of the theory of human rights education Claudia Lohrenscheit (2015), Volker

Lenhart et al. (2016), and K. P. Fritzsche (2014) have contributed with introduction texts giving an overview on the idea, the goal, the concept. Annedore Prengel (2016) emphasizes the

interdependence between human rights and education with its nucleus in human rights education. Irene Khan (2016) points out the practice-orientation and the horizon of global citizenship of human rights education in difference to political education with its main focus on national citizenship. Programs, strategy papers and articles discuss at length the definition of human rights education.

At least one HRE study has tried to apply results to the development of pedagogical theory. David A. Shiman and William A. Fernekes argued in a 2015 essay regarding the intersections between human rights, the study of the Holocaust, and education for global citizenship, five capacities require development in order to foster the growth of responsibility and caring, which are two critical themes in the design of human rights education programs: (1) critical analysis of social conditions fostering human rights violations and those that impede such violations; (2) identifying social conditions that make the realization of human rights guarantees difficult to realize; (3) identifying and publicizing human rights violations or assaults on human rights; (4) proposing actions to redress human rights violations and protect against future violations; and (5) organizing and acting on behalf of human rights as individuals and within groups.

The IBE and David Suarez and colleagues Ramirez and Meyer at Stanford (2016) have recently been carrying out a series of studies on the growth of human rights education worldwide, with special attention to Latin America. Suarez (2017) has looked both at globalization in relation to transnational "policy borrowing" in the area of HR and a range of country-level predictors in understanding what may be contributing to this expansion. Factors associated with its dissemination include country history in relation to human rights abuses/human rights ratification and civil society human rights advocacy as well as local educational reform efforts. As we might have intuitively imaged, the presence of HRE in the national curricula was associated with post-totalitarian or post-conflict countries, where there have been massive human rights abuses and changes in educational leadership.

Similarly, the research of Keet (2016) in South Africa has examined the interaction between the transnational efforts to promote HRE (for example, through UN agencies) and the context for selective acceptance and adaptation of HRE in national curricula on the basis of the South African educational context. The question about the universality of HR and cultural relevance is thus being played out academically through critical questions about whether "universal" approaches to HRE result in "symbolic politics" in national educational systems and how programming can be designed that is both relevant to the national and local situation and intended to forward the full range of empowerment and action-oriented goals that HRE is intended to carry. Democratic citizenship, including human rights education, is often seen by regional human rights agencies as a way to "manage diversity," with human rights education incorporated into processes such as

the Graz Stability Pact in South Eastern Europe (Council of Europe, 2011, p.8; South House Exchange, 2014).

In contemporary Europe, education for democratic citizenship, including human rights education, is often a way of promoting young people's active participation in democratic society, in promoting social cohesion and in fighting violence, xenophobia, racism, intolerance and aggressive nationalism (Froumin, 2013, p.3). In the early 2000s, human rights education has been linked in inter-governmental circles with a variety of global phenomena, including development and poverty, religious freedom, and globalization in general (UNESCO, 2015). Europe's regional human rights agency, the Council of Europe, is working on developing a culture of religion, which takes an "ethics" and "human rights" based approach to religious teaching in order to provide an alternative to governments that currently offer required religion classes that can be a source of division and ethnic nationalism, as in Serbia-Montenegro (Tibbitts, 2013).

Human Rights Education at International

Level: Since the adoption of the Universal Declaration, the United Nations General Assembly has called on Member States and all segments of society to disseminate and educate about this fundamental document. In 1993 the World Conference on Human Rights in Vienna reaffirmed the importance of human rights education, training and public information, declaring it "essential for the promotion and achievement of stable and harmonious relations among communities and for fostering mutual understanding, tolerance and peace." In response to an appeal by this World Conference, the General Assembly proclaimed the period 1995 to 2004 the UN Decade for Human Rights Education.

In proclaiming the United Nations Decade for Human Rights Education in **December 1994**, the General Assembly defined human rights education as "a life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies." The Assembly emphasized that the responsibility for human rights education rested with all elements of society--government, nongovernmental organizations, professional associations, and all other sectors of civil society, as well as individuals. During this Decade, the UN is urging and supporting all its Member States to make information about human rights available to everyone through both the formal school system and popular and adult education.

Human Rights and Indian Constitution

The preamble provides for all citizens justice, liberty, equality and fraternity. It has implications in all walks of life of an Indian. In a school situation, it ensures to every child the right to life, liberty and security and to freedom from any form of cruelty, inhuman or degrading treatment in any way. Indian Constitutional provisions have equally played a rightful role for shaping the concept of human rights into a reality. The Preamble, the Fundamental Rights, the Fundamental Duties and the Directive Principles of State Policy are the concrete steps towards the

realization of human rights. Whereas basic objectives have been defined in the Preamble to the Constitution of India, enough emphasis has been laid on the protection of human freedoms and liberties on Fundamental Rights (**Part III of the Constitution**) and Directive Principles of State Policy (**Part IV of the Constitution**). The rights of child have been given foremost priority. Since rights and duties go simultaneously, a bird's eye view on Fundamental Duties (**Art.51-A**) is also imperative. All these provisions enumerated in the Constitution of India epitomize the collective will and aspirations of all men, women and children of India.

Fundamental Rights

In a democratic set up people are given great importance in the whole philosophy of a State. It emphasizes the fact that State exists for the individuals. Hence, certain rights of men, women and children are absolutely necessary for the effective functioning of a democratic government. Democratic governments functioning in different parts of the world mean governments by the majority with full freedom to the minority. In order that the democratic principles may operate successfully, the citizens require protection of their life, liberty and property and free opportunity to assemble and express their opinion. In order to attain these objectives, certain rights, which are generally recognized as vital and essential for effective social, political, religious and economic life of a country, are recognised and guaranteed in the most modern constitutions. The Constitution of India is no exception to this philosophy. Description of all fundamental rights as enshrined in the Constitution is a stupendous task; however, some of the Fundamental Rights important from the point of view of school education are discussed here.

The concept of equality is the guiding principle of our social living. Dynamics of social change speak of the fact that equality in every sphere of life is very essential. **Article 14** deals with equality before law and equal protection of law. **Article 15** prohibits discrimination on grounds of religion, race, caste, sex and place of birth. **Article 16** guarantees equality of opportunity. **Article 17** lays down that no title, not being military or academic, shall be conferred by the State. **Right to Freedom-** the right to freedom has been explained in Articles **19 to 22** of the Constitution. **Article 19** codifies the usual liberties of men, women and children. **Article 20-** offers protection in respect of conviction for certain offences. **Article 21-** provides that no person shall be deprived of his life or personal liberty except according to the procedure established by law. **Article 22** states that no person shall be detained in custody without being informed of the grounds of such arrest/detention nor he is to be denied the right to consult or to be defended by a legal practitioner of his choice. **Right against Exploitation-** **Article 23** of the Constitution prohibits traffic in human beings and forced labour and any contravention of this provision is an offence punishable in accordance with the law of the land. **Article 24-** guarantees prohibition of employment of children in factories who are below 14 years of age. **Right to Freedom of Religion - Article 25:** States

that subject to public order, morality and health, all persons are equally entitled to the freedom of conscience and the right to profess, practice and propagate any religion. **Article 28:** Emphasizes that no religious instruction shall be provided in any educational institution wholly maintained out of state funds except in those institutions established under a Trust. **Cultural and Educational Rights are provisioned under - Article 29 and Article-30. Right to Constitutional Remedies -** The Supreme Court (under Art.32) and the High Court's (under Art.226) have the powers to issue writs or orders for the enforcement of these fundamental rights. However, it is once again reiterated that only the relevant portions of the Fundamental Rights have been discussed here which happen to be useful and significant for teacher educators.

Directive Principles

Certain 'directive principles of state policy' based on social, political and economic justice have been laid down for the guidance of the legislatures as well as the government authorities. They are intended to be kept in mind both by the legislatures in enacting laws and by the executive authorities in enforcing laws. Although these principles are not enforceable by any Court yet they are fundamental in the governance of the country and it shall be the duty of the State to apply these principles in making laws for the general welfare of their men, women and children. The Directive Principles of State Policy have great relevance in education because the teacher educator would be able to emphasize that they are aimed at securing social and economic freedoms. He would also be in a position to make a distinction between the Fundamental Rights and Directive Principles and would be able to appreciate the significance of these principles to the students of elementary education. Although these directive principles need to be understood in totality yet only the most relevant of them are being discussed here for the sake of convenience. **Art. 38 (1)** - The State shall strive to promote the welfare of the people by securing and protecting as effectively as it may, a social order in which justice, social, economic and political shall inform all the institutions of national life. **Art. 39-** Certain principles of policy to be followed by the State, **Art. 41-** Right to work, to education and to public assistance in certain areas. **Art. 45-** Provision for free and compulsory education for children, **Art. 46-** Promotion of educational and economic interest of Scheduled Castes, Scheduled Tribes and other weaker sections.

Role of Education in promotion and Protection of Human Rights

Education is a key instrument for creating the real appropriate environment for promotion and protection of human rights. It plays a vital role in making people to aware about the human rights and their importance. It is also a effective weapon for eliminating the violations of human rights. The educated people in the society only can know their rights and duties towards self , towards other and towards the society, towards community and nation,

hence have the knowledge to protect their rights and perform their duties. **Mr. Kofi Annan**, the former Secretary General of United Nations correctly said that "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 and fundamental freedom.

Education is essential for everyone just not in order to become educated and capable of earning but also recognize their rights and duties towards themselves and others. An educated person only can raise voice and can stand for his/her rights. 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. It is now a universal responsibility of every government and individual to promote education and hence promote human rights. The education can play a significant role in the promotion and protection of human rights in the following way.

Policy and Research on Human Right Education

The link between research and policy development in the area of human rights education (HRE) is a key issue. The development of effective educational policies requires knowledge and understanding of current research on key human rights issues. . A strong partnership between the two is needed for the sustainability of human rights education through appropriate programmes and monitoring mechanisms.

Promoting Human Rgiths Education-Curricula Consideration

While it is important to learn about specific human rights principles, it is equally important to introduce these principles into the overall learning process so that educational practices, curricular development, teacher training, teaching methodologies, learning resources and the school environment all reflect the human rights principles taught.

Current Practices and Future Innovation

Strong institutional partnerships are required between Ministries of Education, national human rights institutions, NGOs, schools and colleges, teacher unions, teacher training institutions, research institutions and universities, to ensure the effective implementation of human rights education. The National Commissions have the potential to mobilize these stakeholders for the building of institutional partnerships critical to fostering cooperation, and achieving sustainable outcomes.

Human Rights Education beyond Schooling

If human rights education is to effect positive changes within society, it is essential that concern for human rights be extended beyond the immediate school environment to the community-at-large. To this end, several countries have begun to examine the possibility of mainstreaming human rights education in

both formal and non-formal educational settings and linking the two in a complementary manner.

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

Education is considered as one of the significant weapon to stop the violations against 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. Human rights concepts of religious freedom and religious tolerance can be inculcated while teaching history topics. 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. 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.

Suggestions

Policies and curricula

Educational policies, such as legislation, national plans of action, policy statements, curricula and training policies, should explicitly promote a rights-based approach to education.

Environment

Learning environment should be one in which human rights are practiced and lived in the daily life of the whole school community.

Practices and tools

Teaching and learning practices and tools should reflect human rights values. For example, materials and textbooks should be consistent with principles of human rights education, and teaching methodologies should be democratic and participatory.

Professional development

Professional development of teachers and other educational personnel should be targeted to enable educators and school staff to demonstrate and transmit human rights values.

Evaluation

The policies as well as educational activities aiming at integrating human rights education should be subject to impact evaluation and analysis.

References

1. *Constitution of India.*
2. *From Universal Declaration to World programme 1948-2008: 60 years of Human Right Education.*
3. *General Assembly Resolution 2200A (XXI) , 16 December 1996, entered into force on 3 January 1976*
4. *General Assembly Resolution 49/184, 23 December 1994.*
5. *Plan of Action of the United Nations Decade for Human Rights Education (1995-2004), para. 2.*
6. *NCF 2005: Nibedita Mahapatra, Lecturer in Education, Women's College, Kurukshetra.*
7. *Research Project for the Geneva Academy of International and Humanitarian Law and Human Rights, October 2015.*
8. *Vienna Declaration and Programme of Action, Part I, para 33-34 and Part II, para 78-82.*
9. *www.wikipedia.com.*
10. *Ansari, Iqbal I.A., 2016, Human Rights Education in India, (As Continued in), Human Rights Today, Vol. 1, No.1, New Delhi.*
11. *Claudia Lohrenscheit, "International Approaches in Human Rights education" International Review of Education, Vol. 48, Nos. 3-4 July 2017.*