



International Journal of Humanities & Social Science Studies (IJHSSS)
A Peer-Reviewed Bi-monthly Bi-lingual Research Journal
ISSN: 2349-6959 (Online), ISSN: 2349-6711 (Print)
Volume-II, Issue-V, March 2016, Page No. 260-265
Published by Scholar Publications, Karimganj, Assam, India, 788711
Website: <http://www.ijhsss.com>

Human Rights Education as a Means of Ensuring the Observance of Human Rights

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Abstract

Human Rights are a universal phenomenon because rights have been imbibed in our society over the years. It has been realized that without human rights we cannot live as human beings. These rights are necessary to ensure the dignity of every person as a human being irrespective of one's race, religion, nationality, language, sex or any other factor. The concept of Human Rights is based on the assumption that human beings are born equal in dignity and rights. It was after the two world wars that the necessity for promoting human rights was felt seriously and the General Assembly of the United Nations adopted the Universal Declaration of Human Rights (UDHR) on 10th December 1948. This declaration provides that all men and women are entitled to civil, political, economic, social and cultural rights without any discrimination. Keeping this declaration constantly in mind, Human Rights Education shall strive to promote respect for these rights and freedoms. Human Rights Education is not something like consideration of abstract ideas reflecting certain generous ideas. It is naturally to be adapted to the specific needs of every human being by providing one with norms, values and criteria to which one can refer to in the course of daily life. This paper tries to present Human Rights Education as a means of ensuring the observance of human rights and at the same time UGC's approach towards human rights.

Keywords: UDHR; Human Rights; Dignity; Discrimination; United Nation.

Introduction: The term "Human Rights" is a new formulation of the classic phrase "the rights of man". Its first use seems to have made by Franklin Roosevelt in his famous message to Congress in January 1941 calling for a world founded on four essential freedoms- freedom of speech, freedom of religion, freedom from want and freedom from fear. The phrase "Human Rights was used again in the Atlantic Charter and the same formula was repeated shortly thereafter in the Declaration of the United Nations signed on 1st January 1942. Then came the Dumbarton Oaks' proposals on the basis of which the San Francisco Conference prepared and opened the Charter of the United Nations. The Charter referred to human rights in its Preamble and in six different articles and this concern of the United Nations in the promotion and encouragement of respect for human rights and fundamental freedoms was translated in the Universal Declaration of Human Rights adopted by the General

Assembly on 10th December 1948. Keeping this declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms. Human Rights teaching covers all levels in the context of both school and out-of-school education. What is to be taught? In the words of UNESCO Director General, Mr, Amadou Mahtar m'Bow, 1978, in the 30th anniversary of UDHR it is to teach every one "to respect, and ensure that others respect, one's own human rights and those of other people, and to be prepared, when necessary, to find the courage to defend them in all circumstances, even the most difficult- such is the most imperative moral duty of our generation". And it is education which must make human rights known to everyone since the very aim of education is to ensure the full development of every human being's individual personality. Human Rights education is not something like consideration of abstract ideas reflecting certain generous ideas. It is naturally to be adapted to the specific needs of every human being by providing him/her with norms, values and criteria to which he/she can refer in the course of daily life. An education of this kind cannot be purely theoretical at least in the early years of life. The roots of such an education are to be found in the living relationship between the teacher and the taught, the parent and the child, the educator and the pupil. When a child is out of the cradle, the baby begins to learn how to perform the duties as a member of the family and then of the community. The powers of initiative begin to grow and mature in course of time.

Children are greatly influenced by the quality of these relationships. An instinctive attitude will come to be shaped by habits and temperament and normally children will adopt such attitude towards human rights of fellow men and women. UNESCO stressed that for their full observance human rights must be ensured to all human beings and that this aim cannot be attained unless human rights are made known to them, particularly through teaching and education.

The Universal Declaration is the first of the series of documents of world historic importance of the fundamental liberties of mankind intended to constitute an International Bill of Rights and it was followed by two important Covenants in the forms of International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Thus, human rights include civil, political, economic, social and cultural rights. States are accountable on the matter of implementing the rights enshrined in the several documents starting with UDHR. Human Rights are to be enjoyed by all people without exception at all times, and no one set of rights can be enjoyed at the expense of other rights.

To know one's rights is the first step towards making efforts at obtaining their recognition. The UN General Assembly called upon all member states to publicize the text of UDHR and to cause it to be implemented, displayed, read and expounded principally in schools and other educational institutions, without distinction based on the political status of the countries or territories. Thereafter, again, while the text of the ICCPR, ICESCR and the optional protocol to the ICCPR were approved, it was recommended that while the texts should be made throughout the world, the Government of States and NGOs should also publicize the text of these instruments 'as widely as possible, using every means at their disposal, including all the appropriate media of information'. While the NGOs did their part even with all the limited resources at their command, governmental response in most cases has been frankly negative. By their studied silence, governments sought to hide facts regarding the approved and acknowledged human rights from the people. More than sixty years back, UN member states pledged themselves 'to achieve, in cooperation with the UN, the promotion of universal respect for and observance of human rights and fundamental freedoms' for all without distinction as to race, sex, language or religion. But sixty years after the UDHR mode of

rule, governments have been found sorely wanting in respecting human rights, nay governments more often than not, treated human rights with disgrace. Human rights teaching has not proceeded in the matter set forth in the UDHR. After the second world war, there has been no global war so far, but there have been a good numbers of regional general war whether in the period of Cold war or thereafter. Wars meant war crimes and genocide, evidenced so very cruelly in some former Soviet Republics, former Yugoslavia, Rwanda, etc. Human rights continue to be violated. Basic economic and social rights are denied to many particularly in the Third World countries, marked by rising illiteracy, poverty, homelessness and hunger, and denial of access to rights to education, employment, health care and social security facilities and degradation to environmental conditions.

The list of negativity seems to be never ending. Article 1 of the UDHR states that “ All human beings are born free and equal in dignity and rights”. But the harsh reality is that the dignity of most men and women in a large majority of cases is indifferently disregarded practically in every part of the globe because of the existence of political, economic or social conditions which deny them the right to education, equality of opportunity and sometimes the most elementary standards of well being or in even more tragic circumstances, is trampled on by the forces of oppression which do not hesitate to resort to violence, torture and murder in order to perpetuate an unjust social order. As far as India is concerned, its human rights record has indeed been disappointing. With the implementation of several black laws, tyranny and terror served as the keynote of governmental record vis-à-vis the human rights situation. Faced with organized human rights movement and international pressure, the Government of India had to move Parliament and thus, The Protection of Human Rights Act 1993 has to be cleared. The setting up of the National Human Rights Commission(NHRC) and the establishment thereafter of around half a dozen State Human Rights Commission(SHRC) have been positive steps. NHRC made some powerful interventions in defense of citizens’ human rights. But, then, it is wholly powerless to deal with complaints of violation of human rights by members of the armed forces: it can only seek reports thereon from the Central Government and make recommendations to it. The NHRC cannot do anything to stop army atrocities: this is the tragic experience of the people in several parts of the country, more particularly in several states of the North-East. The Act needs a basic restructuring, particularly after India’s ratification, at the instance of the NHRC, of the international convention against Torture and other Cruel Inhuman or Degrading Treatment or punishment. It is good to know that the NHRC itself has set up a review panel to suggest appropriate changes for amendments of the Act of 1993. But without bringing human rights violations by members of armed forces within its purview, NHRC or State HRC cannot reasonably be expected to deliver the goods.

The Teaching of Human Rights: Education is one of the primary human rights. It is the one which largely conditions in a very substantial manner all other rights. Article 26 of the UDHR relates to education. On the eve of the 13th anniversary of the UDHR, UNESCO convened the first International Congress on the teaching of Human Rights (Vienna, 12-16 September 1978).

The document gives an outline for the development of substantial programmes in the field of human rights teaching and education. The ten principles and considerations of the document lays stress on the indivisibility of different categories of human rights as also the need for teaching about human rights at all levels of education, including out of school settings. The ten principles and considerations serving as guidelines may be summarized as follows:

1. Human rights education and teaching should be based on the principles which underline the UN Charter, the UDHR, the International Covenants on Human Rights and other international human rights instruments..... equal emphasis should be placed on economic, social, cultural, civil and political rights as well as individual and collective rights. The indivisibility of all human rights should be recognized.
2. The concept of human rights should not be formulated in traditional or classical terms alone; this should include the historical experience and contributions of all people having particular regard to major contemporary problems like self- determination and all forms of discrimination and exploitation.
3. Human rights education must aim at:
 - Fostering the attitudes of tolerance, respect and solidarity inherent in human rights.
 - Providing knowledge about human rights, in both their national and international dimensions and the institutions established for their implementation.
 - Developing the individual's awareness of the ways and means by which human rights can be translated into social and political reality at both national and international levels.
4. Education makes an individual aware of his/her rights. At the same time instill respect for the rights of others.
5. Constant care should be taken to create awareness about the close relationship between human rights and development and peace including inter alia disarmament.
6. Human rights must be seen as an aspect of professional, ethical and social responsibility in all fields of research, study, teaching and work.
7. Human rights education and teaching should stress that a new international economic, social and cultural order is essential to enable all people to enjoy their human rights and to promote and facilitate education on human rights at all levels in all countries.
8. Human rights must be taught at all level of the educational system, as well as in out of school settings, including the family and in continuing education programmes including literacy and post- literacy programmes.
9. Human rights should also be taught as a subject integrated in the appropriate disciplines and in particular fields such as philosophy, political science, law and theology, they should be taught as an independent course.
10. To enable the teacher of human rights to carry out his/her task properly, it is particularly important his/her personal integrity and freedom of expression be guaranteed.

The Annex to the document explains in details the programmes, teaching materials, methods and structures. The sub- theme on human rights education of this Seminar may include some interaction on this UNESCO document as well as the UGC document on human rights education.

UGC'S Approach To Human Rights Education: UGC's Ninth Plan Approach To Promotion of Human Rights Education(HRE) in Universities and Colleges is a very studied and comprehensive document covering as it does the latest developments in the field even while laying down a detailed set of guidelines for implementation of the scheme of HRE in the University system embracing all the dimensions of the system. It adds to our insight and understanding of the subject. The introduction to the document analyzes the concept of human rights in its expanding comprehension and explains in clear terms the goal of evolving human rights culture, noting, at the same time, the existing deficiencies in the area of human rights teaching. The 'Preview' section is a stock- taking exercise: while the factual position of the state of HRE has been given, it says that the whole teaching and learning of human rights in India in the early 60s and 70s was kept linked to the

international ethos. Thus, the document says: ‘the context of human rights studies in India got metamorphosed with the highlighting of the gross violations of human rights of the weaker sections, cases of custodial violence, mass detentions without trial, bonded and child labour, environmental degradation and the like which were brought into public attention essentially through NGOs, the media and the public interest litigations. The publicity of the work of the National Human Rights Commission (NHRC) also contributed to the new ethos. The human rights educators in India today, therefore, feel convinced that grassroots and indigenous orientation, focus on local human rights problems of deprived sections of the society is much more important than the mere projection of international human rights conventions and norms. This change of focus is extremely significant and needs to be crystallized in human rights education of the future.

The section on ‘Perspective for Human Rights Education’ highlights inter alia, the fact that ‘cultivation and promotion of human rights is the sine qua non for smooth functioning of organs of a democratic state, and for the kind of development that results into over all development of each member of society’. Further, a very important point has been made: ‘one of the greatest challenges of today’s time in pluralistic societies like India is the rising conflicts and tensions in the name of particularistic loyalties to caste, religion, one’s own region or language. Such a situation is not in accord with the concept of unity in diversity and poses a threat to human rights as well as to principles of democracy and rule of rule of law. It is imperative that people realize the positive social and cultural value of diversity rather than treating it as a source of conflict. The human rights education must imbibe the understanding, tolerance and respect for differences and diversities; further, ‘human rights education has to be the catalyst in bringing about attitudinal and social change’.

Interestingly enough, the ‘Objectives and Strategies’ section of the UGC document is also a ten-point statement(4.1-4.9) in line with the ten principles and considerations of the UNESCO document referred to earlier. This and the ‘Scope and broad contents of human rights courses. Deserve to be discussed at length. Other sections have been devoted to Curriculum Development: Compilation of teaching Materials; Development of Teaching Methods; Research; Field Action and Outreach; Training of Teachers; Coordination with NHRC and State HRCs; Human Rights Education Centre/Cell, and Financial support. This very short summary of the UGC scheme is no substitute for personal reading of the document by teachers, students and University and College administrations with a view to meaningful implementation of the scheme. The State Government has also to bear its share of responsibility in this regard.

Conclusion: The running thread of this presentation is promotion of human rights education as a means of ensuring the observance of these rights in the interest of this generation to come. Science and technology have opened up tremendous prospects practically all along the line for material progress. Peaceful conditions should ensure a just social order for all human beings all over the world. National and regional efforts are to be directed at sharing the benefits of progress on an equitable basis.

Before we conclude, we may refer to another matter of vital significance for the advance of the society. We have spoken of women’s rights, or better still, human rights as a whole constituting of women’s rights. The next logical step after 33% reservation of seats for women in Panchayati Raj Institutions(PRI) up to and including the district level was to extend the same at the level of the Lok Sabha and State Assemblies. This would change the status quo. Actually the reservation of seats or the quota should be increased so that representation of women in the legislative bodies at the state

and national levels bears relationship to their position in the total population of the country. The quota bill as introduced in the Lok Sabha more than once should have cleared in 1996 or at least by the International Women's Day on 8th March 1997 as demanded by women's organizations. Patriarchy ordained that this must not happen and hence, this tamasha about the quota bill. Society would be better place to live in if both the male and female views are given equal importance. Democracy is functional only when citizens, both men and women, are political equal.

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