

THE PRP JOURNAL OF
HUMAN RIGHTS

HUMAN RIGHTS & ARTICLE 356 OF THE CONSTITUTION OF INDIA

HUMAN RIGHTS EDUCATION IN THE THIRD MILLENNIUM

JOB INVOLVEMENT & JOB SATISFACTION OF TEACHERS

HUMAN RIGHTS & ADEQUATE HOUSING

CYBER CRIMES & HUMAN RIGHTS

MAKE VIRTUE A HABIT

JULY - SEPTEMBER 2000



VOL.4 NO.3



THE PRP JOURNAL OF HUMAN RIGHTS

July - September 2000
Quarterly

Vol.4
No.3

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Subscription Rates

Single Copy	...	Rs.	55/-
Annual	...	Rs.	200/-
Membership (5 yrs)	...	Rs.	1,000/-
Life Membership	...	Rs.	3,000/-

Printed and Published by Mrs. Rani Ponnaian on behalf of M/s Pon Rani Publications (Regd.) and printed at M/s Skeptics India, H-5, Shakarpur, New Delhi-110 015 and Published from No.101, A-14, Bhandari House, Commercial Complex, Dr. Mukherjee Nagar, New Delhi-110 009.

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RNI 65014/97

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HUMAN RIGHTS EDUCATION IN THE THIRD MILLENNIUM

Dr. T.S.N.Sastry*

"..... Education on human rights and dissemination of proper information, both theoretical and practical, play an important role in the promotion and respect for human rights with regard to all individuals without distinction of any kind such as race, sex, language or religion, and this should be integrated in the education policies at the national as well as international levels....."

-Vienna Declaration and Programme of Action, 1993

Introduction:

Although 'right' has a variety of meanings, human rights are essentially the rights of the people, they are Universal without any discrimination of race, sex language, religion and community. However, they have to be promoted and protected at all times (either in peace or war time) by all sections of the people universally without any geographical limitations. This objective can be fulfilled only

through educating the mankind about human rights. Taking into consideration of the necessity for the promotion of human rights education at all levels (i.e., the international, regional, and national) the United Nations declared the period beginning 1 January 1995 to 31 December 2004 as the decade for Human Rights Education. Accordingly, an Action Plan was drafted with an aim to focus on simulating and supporting national and local activities and initiatives for the promotion of human rights education.

Although 'right' has a variety of meanings, human rights are essentially the rights of the people, they are Universal without any discrimination of race, sex language, religion and community.

Teaching of human rights at all level is, of course, essential.

But the promotion of human rights education at the national level has its own significance. To champion the importance of human rights education within the state, there is a need to adopt a National Plan of Action by the Union of India on the similar lines of the UN Action Plan targeting all sections of the polity.

Apart from the steps taken by the State, the non-governmental organizations and other sections of the society (which includes the educational institutions), also should come forward to participate in the propagation of objectives of human rights education. While highlighting the importance of human rights education, the paper makes a modest attempt to distinguish the differences between human rights and human rights education, and, the impact of the subjects in the propagation of human rights education.

Human Rights

Although much as said, discussed and defined what a right is, Prof. Laski's definition of a

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right is rational, pragmatic, constructive, comprehensive, transcends time and territory. According to him, "Rights, in fact are those conditions of social life without which no man can seek, in general to be himself at his best". This definition of right covers all its entirety which includes human rights. It covers all the components of human rights (i.e.,) Civil, Political, Social, Economical, Cultural, Individual and Group Rights. It specifies Conditions and facilities available for the further realization of all the potentialities of the individual. At the same time it imposes an obligation on the State to remove all restrictions to enable the individual to enjoy his rights freely. It has a social obligatory character and imposes an

obligation on the individuals to discharge their duties towards the society and the State.

Accordingly, human rights are the natural or fundamental rights of the individuals, which cannot be changed over time and geographical locations, since they express the essential nature of human beings. In other words, these rights have been translated into legal rights, established according to the law creating process of societies, both national and international.

Human rights are generally classified into three categories or popularly referred to as three generations of rights. According to the history of their development, first is the Civil and Political Rights (first generation rights). Second is the Social, Economic and Cultural Rights (second generation rights) and finally the third is Individual on Group Rights (third generation rights).

The first category of rights originated on the political philosophy of liberal individualism and the economic doctrine of *laissez-faire*. The second category of rights bear their fruits to the Marxist ideology and to the Soviet Revolution. The third generation rights have emerged as a consequence of the First and Second World Wars, the struggle for independence of the colonies against the political imperialism, and to claim their equitable share in the world resources. The assertion of the developing countries of their right to develop

themselves according to their choice and without any body's interference in exercising their sovereignty, which is otherwise popularly called as "Common heritage of Mankind" as propounded by Dr. Arvind, De.Pardo as a part of modern international law of nations.

Apart from these rights, Article 28 of the Universal Declaration of Human Rights adds yet another dimension. It proclaims that everyone is entitled to a social and international order in which all the rights said above can be realized fully in social and international order. In brief, the human rights envisaged by the contemporary world have come to be acknowledged as such today have been involved and recognized over a period of years in response to the socio-economic, political scientific and technological developments.

Human Rights Education

It is often referred to that "Human Rights" and "Human Rights Education" are one and the same, though they are separate aspects. Human rights signifies or concerns with the rights that an individual possess himself and the limitations in which the rights can be exercised. Where as, the aim of human rights education is to enlighten the people and the society in the promotion and understanding the basic concept of human rights. In fact Education on Human Rights and the dissemination of proper information in theory and

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practice, play a vital role in the promotion and respect of human rights without any discrimination among individuals of the world. The fundamental aim of human rights education is to build up the personality of the individual by assisting his physical, intellectual, moral and emotional development and for the well being of the national societies.

The basic aim of education is to transfigure the human personality into a pattern of perfection through a systematic process of the development of the body, the enrichment of the mind, and the sublimation of the emotions and the illumination of the spirit. This being the true spirit of education, human rights education is the principal instrument in awakening the man to cultural values from the childhood, and makes him to learn to live normally in his environment. In other words, it prepares a man as a duty minded citizen of the world. Its aim is to teach not only about the rights of man but also trans in exercise of their duties towards the other fellow beings and to community as a whole. This being the sole criteria, it certainly differs from the concept of human rights. Though the two aim separate aspects, their main target is the mankind and the future development of a common world where in no form of sovereign restrictions shall be seen or visible. In other words, the aim of human rights and the human rights education is to establish the

ancient Indian concept of "Vasudaivyka Kutum bakkam or one world". Hence there are two sides of a coin, which cannot be separated from the other. Hence the aim of human rights education is to integrate the education policies at the national as well international levels.

Human Rights Education at the International Level

The Universal Declaration of Human Rights calls upon every individual and every institution of the society to promote respect for human rights and to strive for their universal and effective recognition. The World Conference of Human Rights in 1993, realizing the importance of spreading the concept of human rights, urged the General Assembly of the United Nations to evolve an institutional framework for the dissemination of proper information about the importance of the promotion of human rights in all its dimensions.

In response to the call by the conference, the General Assembly through a Resolution, declared January, 1995 to December, 2004, as the United Nations Decade for Human Rights Education. According to the Assembly, human rights education is "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".

According to the Declaration, the Assembly called upon the member States,

international organizations, non-governmental organizations, professional organizations and all the international, regional, national sectors to concentrate their efforts to promote the Human Rights Education during the ten-year period. In addition, in the year 1995, the General Assembly established the United Nations Programme of Advisory Services and Technical Cooperation in the Field of Human Rights. The aim of this Programme is to provide assistance to the member governments on their request in the field of human rights, which includes advisory services of experts, fellowships, scholarships and seminars. In fact the forerunner to this was the UN Programme of Advisory Services in the Fields of Human Rights which used to undertake activities in various countries in the promotion of human rights education.

As a result of the initiatives of the Programme, other organs of the UN and the governmental and non-governmental organizations, the Vienna Conference on Human Rights also drew up a Plan of Action to promote the human rights education at all levels. The High Commissioner of the Human Rights Commission has been called on to coordinate the Plan of Action to promote this process.

The Objectives spelt out in the Action Plan are:

a) The assessment of needs and formulation of effective strategies

The basic aim of education is to transfigure the human personality into a pattern of perfection through a systematic process of the development of the body, the enrichment of the mind, and the sublimation of the emotions and the illumination of the spirit. This being the true spirit of education, human rights education is the principal instrument in awakening the man to cultural values from the childhood, and makes him to learn to live normally in his environment

for the furtherance of human rights education.

- b) The building and strengthening of programmes and capacities for human rights education at the international, regional, national and at local levels.
- c) The Coordinated development of human rights education materials.
- d) The strengthening of the role and capacity of the mass media in furtherance of human rights education.
- e) The global dissemination of the Universal Declaration of Human Rights in the maximum possible number of languages and in other forms appropriate for various levels of literacy and for the disabled.

In accordance with the Programme of Action, the UN and its other organizations have initiated various projects and programmes to meet the objectives of the United Nations charter and other legal instruments.

Human Rights Education at the National Level

Whatever the steps taken by the United Nations and its organs, they are not sufficient, until and unless the member States initiate programmes to promote the human rights education at the national level.

It is unfortunate that a country like India, which has a vast culture and tradition, respect for human rights and fundamental freedoms since ages, has taken up very little care for the propagation and promotion of human rights education.

In the year 1980, as a follow-up of action to the Vienna International Congress on Human Rights in 1978 held under the auspicious of the UNESCO, few steps have been initiated. The University Grants Commission upon the request of the Government of India, appointed a Commission under the chairmanship of Justice. S.M. Sikri along with senior jurists and advocates, which prepared a blue print in 1985 to consider various ways and means of promoting human rights education in India. The same was sent to the National Council of Education Research and Training (NCERT), and to various

universities. However, the report has been gathering dust since then.

Of late, in realizing the importance of human rights education, the University Grants Commission and NCERT hurriedly drew up plans and started initiating programmes and establishment centers of Human Rights to propagate the Human Rights Education. Today nearly 40 universities in the country have such centers of excellence and rendering services to the people to their best. However, unfortunately, no major concrete steps have been initiated either by the Union or by the State Governments to teach the importance of human rights from the primary level on words. Even the Protection of Human Rights Act, 1993 has not laid down any formula for the propagation of human rights education except specifying in section 12 clause (h) where in the commission has been entrusted with the task of dissemination of knowledge about human rights.

Conclusion and Suggestions

As stated already, the efforts of the United Nations and its various organs will yield results, only if the Member States initiate steps with all seriousness to promote the ideals of human rights teaching at the national level. In fact, a country like India has to take serious steps to propagate the concept of human rights education. The few steps initiated by the UGC and NCERT are not at all sufficient to promote the cause in a vast country like India wherein

population, poverty, illiteracy etc. are the major obstacles.

1. As stated by the Action Plan of the U.N. at the national level, the Government of India should constitute a National Committee for Human Rights Education. The members of the committee should consist of members from the judiciary, academic field of different disciplines, representatives from non-governmental organizations and people of public eminence.

2. Apart from constituting a Committee, a National Plan of Action be drafted with the objectives, strategies and programmes for human rights education.

3. The National Plan of Action should be comprehensive enough to cover various sectors of the society and also should have a evolutionary machinery to assess the implementation of the plan.

4. The Plan of Action should specify the tools to frame the curricula from the primary level. At the primary level only, the significance and importance of human rights and duties have to be taught. On the middle level of education, various international and national level organs and the activities of them along with the impact of science and technology on human rights have to be taught without teaching about the various legal intricacies. At the Higher Education level, different aspects of the human rights should be taught relating to the discipline of study. Apart from these training,

an independent course of human rights, research and extension activities have to be promoted by universities and other higher learning bodies.

5. The Action Plan also should contain the strategies to educate the rural and urban masses and the legislators, administrators and the executive heads of the State.

6. The Action Plan be reviewed by an independent body of experts consisting of jurists, legislators, academicians, and non-governmental organizations.

7. The Whole Plan of Action of the curricula be drafted to cover the scientific and technological aspects and their impact on human rights education vis-a-vis its prominence in the scientific research.

Apart from these steps, since a constitutional review committee has already been constituted, it is time that the Fundamental Duties of the citizen be given due importance than Rights in the Constitution. At the same time it is the duty of every individual of the polity to take part in the protection and promotion of human rights education. If we won't wake up even now from our deep slumber, we will be the losers in the next millennium wherein competition progress in science and technology are going to play a dominant role. Remember if we protect "Dharma", "Dharma" protects us.

End Notes:

1. General Assembly Resolution 49/184, 23 December 1994.

2. For the Historical development of Human Rights, V.T. Patil and T.S.N. Sastry "Relationship between Human Rights and International Humanitarian Law" in *Studies in Human Rights* edited by V.T.Patil and T.S.N.Sastry, 2000, PP 448-450. Pon Rani Publications (Regd.) Delhi-110 009.

3. Leach Levin: "Human Rights: Questions and Answers" UNESCO Publication, 1981, P.15.

4. For a detailed discussion, Justice. P.B. Sawant's "Lecture on Socio-Economic Rights" M.R.A. Ansari Mechanical Lecture Series, 1995.

5. Unni Krishnan Vs. State of A.P. 1993, / ISCC 645 at 664.

6. See Supra

7. For a detailed discussion see "Human Education: Lessons for Life", UN Basic Information Kit No.4, 1998, PP.16-21.

8. Vienna Declaration and Programme of Action, 1993, for the Text see UN. DOC A/51/506/Add.I.Appendix, 1993.

9. K.P.Saksana, "Role of Institutions of Higher Education" in *Human Rights: Fifty Years of India's Independence*. K.P. Saksanas (ed.) 1999 PP.60-61.