

Human Rights Education – the Role of Teachers

*Mrs. Srividhya Jayakumar **

Paper presented in Western Regional Seminar held in H.J. College of Education, Khar (19,20, Feb. 2007)

“A teacher affects eternity; no one can tell where his / her influence stops” – Henry Adams

Role of the teacher is progressively being broadened from that of the expert who imparts knowledge to one that includes a mentor or guide, one who extends students’ deep understandings & facilitates the acquisition of higher order thinking skills & creative problem solving skills – skills that are critical for the development of an innovative culture for tomorrow¹.

Our commitment to secure full and universal enjoyment of the human rights imposes on us a duty to work and struggle for a human rights culture. In the establishment of such a human rights culture the role of teachers is undoubtedly illustrious. Teachers occupy a crucial position in the educational process and substantially influence the shaping of the future. The purpose of this paper is to analyze the role of teachers in schools in the Human Rights Education.

Human Rights Movement

The human race has always been witnessing struggles for certain basic rights. Every part of the world has met with suppression & oppression & struggles & resistances against such onslaughts on basic rights & liberties. The expression ‘Human Rights’ has become popular after the formation of United Nations in 1945. The preamble of the UN Charter reaffirms faith in fundamental human rights. One of the purposes of the United Nations is to achieve international cooperation in promoting & encouraging respect for human rights & for fundamental freedom for

all without distinction as to race, sex, language & religion². UN has a duty to promote universal respect for & observance of human rights³.

The term 'human rights' denotes all rights which are inherent in our nature & without which we cannot live as human beings⁴. Human rights are those basic, inherent, fundamental, natural & inalienable rights of human beings. They are considered indispensable for dignified human life. The purposes of securing human rights as such are to provide protection to these rights against the abuses of power by state organs; to establish institutions for the promotion of living condition of human beings and for the development of their personality; and at the same time, to provide effective remedial measures for obtaining redress in the event of violation of those rights⁵.

Customary international law justifying intervention by one state in the affairs of another on humanitarian grounds should be considered as the beginning of the present day international human rights law⁶. There were isolated efforts to curb slavery⁷ and trafficking in women & children⁸ Humanitarian treatment of prisoners of war was reinforced⁹.

Human rights have ceased to be a matter of national affairs after establishment of U N and particularly after the UN adoption of UDHR, 1948. UN has today established an international regime for human rights by

- a) adoption of General Assembly Resolutions forming 'soft law', (non-binding form)¹⁰
- b) encouraging the member states to adopt the treaties forming 'hard law' (binding form)¹¹
- c) establishing monitoring institutions and paving the way for implementation.

The UN Human Rights initiatives have led to a world wide human rights movement. The high level human rights bodies of UN namely

the International Human Rights Commission and the office of the High Commissioner for Human Rights are working in coordination with UN specialized agencies like UNESCO, UNICEF, WHO and International Non – Governmental Organizations. Almost all the national constitutions recognize & protect these universal human rights. National level & local non-governmental organizations have also emerged in the battle towards achieving a future where people will live together in harmony, tolerance & mutual respect. Indian Constitution, 1950 embodies the human rights values¹². Supreme Court of India by its activist approach to constitutional interpretation seeks to raise the Indian human rights norms to international standards. A plethora of cases stand testimony¹³.

Protection of Human Rights Act, 1993 establishes human rights commissions at the national and state levels to inquire into complaints of human rights violations and make recommendations to the government. The Act provides that Human Rights means the right relating to life, liberty, equality and dignity of the individual guaranteed by the Constitution or embodied in the International Covenants and enforceable by courts in India¹⁴. India also witnesses a large network of NGO's striving for human rights cause.

Human Rights Education

The global task of promoting & protecting all human rights & fundamental freedoms so as 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. Peoples' participation is a must in resolving human rights conflicts. This matured participation can be a possibility only with human rights education. [HRE]. The Vienna Declaration adopted by General Assembly in 1993 incorporates a separate section on Human Rights Education¹⁵.

The General Assembly has defined HRE as 'a life long process by which people at all levels of development & in all strata of society learn respect for the dignity of others & the means & methods of ensuring that respect in all societies'¹⁶. The UN General Assembly called upon governments, international organizations, non-governmental organizations, professional associations & all other sectors of civil society to concentrate their efforts, during the U N Decade for Human Rights Education. Human Rights Education is a human right, a pre -condition for sustainable development, the civil society and democracy¹⁷. UN mandates that education shall be directed to the strengthening of respect for human rights & fundamental freedoms¹⁸.

Human Rights Education : Indian Scenario

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 incorporated¹⁹. 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 abandonment²⁰. 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. India is a signatory to UDHR & has ratified Civil and Political Rights Convention, Economic, Social and Cultural Rights Convention, CEDAW CRC etc. HRE is inescapable and a legal obligation.

HRE can foster a spirit of respect for others and high citizenship qualities. 'Citizenship in a democracy involves many intellectual, social and moral qualities a democratic citizen should have the understanding and an intellectual integrity to sift truth from falsehood, facts from propaganda & to reject the dangerous appeal of fanaticism & prejudice ... should neither reject the old because it is old nor accept the new because it is new, but dispassionately examine both and courageously reject what arrests the forces of justice and progress²¹. HRE is important because it can prevent violation of human rights, promote assertion of human rights and human rights is an essential part of social studies curriculum²².

The National System of Education envisages a common educational structure. The 10 + 2 +3 structure has now been accepted in all parts of the country. Regarding the further break-up of the first 10 years efforts will be made to move towards an elementary system comprising 5 years of primary education & 3 years of upper primary, followed by 2 years of High School. Higher Education follows in graduate, post graduate and doctoral degree programmes in various subjects including management, professions & technology. The National Policy on Education underlines the importance of value education. The growing concern over the erosion of essential values and an increasing cynicism in society has brought to focus the need for readjustments in the curriculum in order to make education a forceful tool for the cultivation of social & moral values²³.

'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 called upon incorporation of certain emerging concerns including human rights in the course content²⁴. This is in line with the UNESCO suggestion. Human rights education cannot be reduced to the simple introduction of human rights content in already overburdened curricula.

It brings about a profound reform of education, which touches upon curriculum in -service & pre-service training, text books, methodology, classroom management & the organization of the education system at all levels²⁵. But it is disappointing to observe that the NCF 2005 has failed in identifying the content of the HRE in schools.

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 weightage 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.²⁶ Now HRE is part of many university programmes. Interestingly, certificate, diploma, postgraduate diploma and even masters programme in human rights are available today.²⁷ Bar Council of India has made human rights a compulsory subject for professional law degree programme.²⁸ Many universities offer human rights subject for postgraduate programme in law.

Role of Teachers

The teachers relate to administrators, parents, community members, to teachers, other staff and students. In relationship with students, teachers are clearly super ordinate. The recognition of the power of the teacher is the predominant feature of the relationship between the teacher and the student. The teacher plays the roles of diagnostician & prognostician of student behaviour, planner, initiator & supervisor of classroom learning activities, evaluator, model, counsellor & guide, disciplinarian, machine operator and clerk²⁹.

Even before we embark on HRE, the teachers should know the rights of children and respect them. As teachers, it is not just what we teach matters, but it is also what we do that matters. Equality, the principle that the best interests of the child shall be the primary consideration in

actions concerning children, respect for the views of the child are the general principles of the Convention on the Rights of a Child³⁰. Children have right to leisure, play, recreational & cultural activities, apart from civil rights, liberties, right to health, right to family environment & educational right. While devising class room activities, disciplining, and evaluating, the interests of the child shall be borne in mind. 'Student Welfare' shall be the beacon light guiding all actions.

Pre Primary Stage

The children will be very young and just beginning to communicate. Respecting them and their views & needs is key to inculcate respect for others. Cultural diversity & the values of unity shall be inculcated. Introduction to the human family, friendship, mutual help & appreciation of nature can be valuable. National policy on education discourages the 3R's at this stage; the fourth R 'rights' shall also wait. Moral stories and songs close to human rights themes can be tried on an experimental basis.

Primary Stage

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. Even if the prescribed textbook does not cater to the needs of HRE, the teacher shall supplement from beyond. Instances around & even abroad having implications on human rights may be discussed in the class rooms. The syllabus for Environmental Studies up to Class V is woven around six common themes close to the child's life such as family, and friends, food, shelter, water, travel and things we make & do. EVS covers both natural and the social environment. NCF 2005 identifies objectives of environmental studies amongst which 'to be able to critically address

gender concerns and issues of marginalization & oppression with values of equality and justice, and respect for human dignity and rights' is noteworthy.

At this stage, students may find it difficult to understand the concept of 'right' in the sense of a legally recognized & protected interest. Therefore it is suggested that the importance of family, food and shelter be thoroughly clarified. Because Human rights are those basic and minimal requirements or conditions for dignified human life. The values of equality & justice be reinforced. This information should be the broad base or foundation on which the human rights education will be built later.

Upper Primary Stage

The major subjects relevant for human rights education in this stage are social sciences, science & languages. Human rights concepts of religious freedom and religious tolerance can be inculcated while teaching history topics on Buddhism, Jainism to class VI students. While teaching about tribes & nomads under social change for Class VIII students, in the subject history, rights of indigenous people can be introduced. Dealing with regional cultures, students can be asked to appreciate cultural diversity, and they can be introduced to cultural rights. 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.

Study of freedom struggle can facilitate the introduction of democratic values. Class VI topics on diversity, inequality and government should be utilized to introduce duties of government to protect and promote rights of people. Class VII theme "Democracy and Equality" can be well utilized to inculcate human values. Class VIII "Rule of Law and Social Justice" gives immense opportunities to discuss the

constitutional values of Human Rights and Human Duties. Role of Parliament and Judiciary in promoting and upholding human rights can be discussed with the students.

Class VI – Science sub-theme on food can be used to introduce to the students right to food, freedom from hunger and also health rights. Class VIII-Reproductive Science can be used to impress upon the equal worth of human lives. Pollution topics can help in discussing the right to health and quality environment.

Languages offer many gateways for HRE. Stories, poems, paragraphs can be carefully selected. Sentence framing, role plays, dramatics etc., can also be used to the optimum. Students can be asked to write essays or poems on human rights issues. One noteworthy difference is that while teaching languages there is no problem of linking it to the relevant limited human rights topics. From the whole range of human rights, anything can be chosen to disseminate information.

At this stage it will be ideal to build on the concept of rights and human rights. The gaps between recognition of rights and their realization shall be highlighted. This will put the students on the path towards achieving a future where people will enjoy the benefits of human rights.

Secondary Level

Undoubtedly languages can be very flexibly used in HRE. NCF 2005 introduces in the 'social sciences' a variety of subjects viz. history, geography, political science and economics. Class IX 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. The topic on civil disobedience can well bring out the idea of right to self determination and democracy. Globalizations impact on livelihood and labour can be

discussed. Political science subject has great potential in introducing UNO, democracy and fundamental rights under the Constitution. 'Challenges to democracy' can be used to emphasise on the right to education and socio economic empowerment of the people. The subject 'civics' under the existing system is also equally potent in dealing with these human rights topics.

The theme 'Financial Institutions for Savings and Credit' of Economics can be used to develop inquiry into suicides of farmers and the violation of their social security rights. The theme on Consumer Rights will reinforce their understanding of rights and help them to distinguish these from human rights. The human rights approach will help the learners to develop a humane outlook.

Co -curricular and other activities

The teacher can play a decisive role in selecting and assigning projects on human rights. 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 awareness among students, parents and the neighborhood community. Parents day, grand parents day can be used to create awareness among parents and grandparents thereby reaching to people beyond the learners in the school. Students can be taken to old age homes and orphanages. They can be motivated to respect and include the handicapped and help them in need. Children from schools for special children can be invited for interaction and togetherness. Students can be made to read out books etc. for the visually impaired.

While planning and carrying out activities or functions in schools, the small jobs assigned to students shall not imitate stereo type roles for girls and boys. NCF has taken up gender concerns seriously. It has echoed that ‘it is extremely important that text book writers and teachers begin to appreciate that the passive and deferential roles generally assigned to women are socio-culturally constructed and need to be destroyed as quickly as possible. Voices of women in all their glory need to find a prominent place in our textbooks and teaching strategies.’ It is pertinent to note that Article 5(a) of Convention on Elimination of all forms of Discrimination against Women casts an obligation on State Parties to take all appropriate measures to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women.

Achievers from women and handicapped shall be highlighted. The significance of every member in the society shall be made evident. Dignity of labour and the worth of elders shall be explained. Every opportunity is golden and resourcefulness shall aid the teacher in inculcating human rights in children. Teachers need to interact with other teachers and plan well.

Responsibilities of teachers in HRE

1. Bring to the notice of other teachers, the principal ,the textbook writers and the concerned government authority any aberrations in text books. Wrong messages should have no room. The textbooks should be meticulously examined³¹.
2. Take initiatives to enrich the school library and personal collection with books and materials on human rights.

3. Resolve not to violate human rights. Object to and take efforts to correct human rights violations in the school. Lack of basic facilities like water and sanitation, denial of recess for students, excessive corporal punishments, in dignifying remarks etc shall not be tolerated. Conditions of mutual respect shall prevail in the dealings with parents, other staff and community.

4. Teachers need to be receptive and be constantly learning.³² Teaching of human rights is not merely a matter of narrating or learning by rote the provisions of various human rights instruments.³³ There is a momentum for revising and redesigning the universal human rights norms. The 1948 UDHR is considered to be inadequate as it does not reflect the ethos and norms of all peoples. A modern view points out that the concept of human being under the UDHR is limited to that of male, western, white, adult, hetero sexual and owner of assets.³⁴ Advances in human rights thinking should be taken in to account.

The horizons of human rights is ever expanding. The idea that the philosophy of human rights is limited to the civil and political rights often called the “first generation” rights has been discarded. Economic social and cultural rights which place a more positive responsibility on the state are as important as the civil and political rights. Supplementing these individual rights, collective rights of the people have also emerged as “third generation” rights (rights to peace and development). Human rights movement has progressed further by its new channels of expression. Different classes of people who need assistance and protection are identified. Rights of women, children, minorities and the disabled are some of them.

5. Teachers should not merely follow the textbooks prescribed. Examination of school syllabus is neither adequate. Teachers need to be prepared to analyze the curricular framework and policy implications.³⁵ Objectives laid down shall be understood and realized.

6. Teachers shall give adequate importance to duty education as well. Indian society is duty based and HRE must aim at accepting responsibilities by following that for every right there is a responsibility.³⁶ Duties under Indian Constitution and UDHR shall be emphasized.

Teachers shall actively involve themselves in value education. Planning of activities and conscious efforts are a must. Sidelining values will be an abdication of their responsibility. The teachers' positive attitude will go a long way in lowering anxiety levels of learners, while raising their awareness levels of self respect, self discipline, respect and care for others, interdependence and cooperation.³⁷

Conditions ensuring effective role of teachers

Teacher Training

In order that teachers effectively inculcate human rights in students, we need to focus on teacher education. The teachers in the first place shall be equipped with information and skills. National Council for Teacher Education shall ensure inclusion of human rights in the curriculum of diploma, bachelor and masters programmes in education. In service training and refresher courses can make up the deficiency. NCF 2005 states that in service training can play a significant role in the professional growth of teachers and function as an agent for change in school related practices.

The schools can have tie ups with nearby law colleges, universities, courts and bar associations. The Legal Aid Authority³⁸ at district levels in the court premises can also be approached. Seminars & workshops for teachers on an adhoc basis can also help imparting knowledge on human rights. Partnerships with human rights NGO's can be very fruitful.

Syllabus & Textbooks.

Curriculum formulation & revision are not in the hands of teachers, although they can and should forward their constructive suggestions. Prescribed textbooks will have to be followed. However the teacher's discretion in drawing illustrations and references from a variety of other books shall be respected. The school library should have a good stock of books on human rights and necessary additions and updations shall be religiously made.

Teachers with special qualifications and experience shall be supported by the school to prepare teaching materials and guidance materials for teachers. NCERT and SCERT shall bring out relevant publications.

Experience sharing

Individual teachers often explore new ways of transacting the curriculum in addressing the needs of students within their specific classroom context. These efforts often pragmatic but also creative and ingenious, by and large remain invisible to the school and the larger teaching community and are usually not valued by teachers themselves.³⁹ Schools shall devise strategies to enable sharing of teaching experiences. Intra school as well as inter school teachers shall meet and interact. The experiments, creations, teaching materials, projects and students' responses can be shared. Organizations of teachers can also conduct this kind of interactive experience sharing sessions.

Recruitment, Pay package, etc. of teachers

It is a right of teachers to enjoy a reasonable sense of security of job that makes for neither anxiety nor complacency. Reasonable scales of pay and remuneration, including perks, at least equivalent to those with comparable qualifications, workload, responsibility, seniority,

experiences etc.⁴⁰ Recognizing the right of everyone to education, the U.N. Convention recognizes that with a view to achieving the full realization of this right the material conditions of teaching staff shall be continuously improved.⁴¹ The government and the community should endeavor to create conditions, which will help motivate & inspire teachers on constructive & creative lines.⁴² Appointments on contract basis and declining salary for two months in a year is a travesty of justice. Victims of injustice 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.

The analysis in this paper cannot discount the ground realities. The curriculum is ever swelling. The teachers are overburdened. Time constraints threaten us. To incorporate human rights in the various themes of subjects, weightage in respect of marks and time will have to be determined. In service training of teachers shall be imparted immediately. Assessment of teachers will have to include their contribution to HRE. Teachers need to be motivated to have additional qualifications in human rights through incentives. Languages teaching has larger prospects of carrying out HRE. There should evolve a broad consensus on 'the human rights syllabus' for school students and class-wise assignment of topics. This alone can eliminate repetition of topics and ensure a better coverage.

Behaviors of effective teachers can be grouped into planning, management of the smooth running of the learning environment and instruction⁴³ For effective human rights teaching, the school shall take serious efforts in empowering teachers with information and streamlining planning, management and instruction. Institutional responsibility shall emerge to fashion human rights education. The destiny of India is being shaped in her classrooms.⁴⁴

** Lecturer and Incharge Principal, VPM's TMC Law College, Thane*

References

1. Hemlata Talesra, Scope and Trends of Research on Teaching, p.17,2004, Authorspress
2. U.N. Charter, Article 1(3)
3. Supra n.2, Article 55
4. Teaching Human Rights, United Nations, New York, 1989 p.5
5. Imre, Szabo, "Historical foundations of Human Rights and Subsequent Development", The International Dimensions of Human Rights, Vol.1, English Ed., by Philip Alston, UNESCO, p.11, as quoted in Dr. U. Chandra, Human Rights, p.1, Allahabad law Agency publications, 2000.
6. See, J.G. Starke, International Law, S.K. Kapoor, International Law, Central Law Agency.
7. Slavery Convention 1926
8. International Convention for the Suppression of Traffic in Women and Children, 1921
9. Geneva Conventions, 1949
10. Illustrations: UDHR 1948, Declaration on Elimination of all Forms of Discrimination Against Women 1967, Declaration on Rights of a Child 1959, Vienna Declaration 1993 etc.
11. Illustrations: Convention on Civil and Political Rights 1966, Convention on Economic Social and Cultural Rights 1966, Convention on Elimination of all Forms Discrimination Against Women 1979; Convention on Rights of a Child 1989, Convention on Elimination of all forms of Racial Discrimination 1966; Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (1984) etc.
12. Part-III, Articles 14-32 Comprise of fundamental rights incorporating the civil and political rights and Part IV Articles 36-51 comprise of directive principles of State Policy incorporating the economic, social and cultural rights.

13. A few are illustrated
 - Right against sexual harassment – Vishaka v Rajasthan AIR 1997 SC 3011.
 - Right to speedy trial – Husainara Khatoon v Bhiar, AIR 1979 SC 1369.
 - Right Livelihood – Olga Tellis v BMC, AIR 1986 SC 180
 - Right to health – CERC v UOI, AIR 1995 SC 759
 - Right to legal aid – Hoskot v Maharashtra AIR 1978 SC 1548
14. Section 2(1) (d)
15. D. Human Rights Education – 78 to 82
16. General Assembly Resolution 49/184 of 23 Dec,1994 proclaiming UN Decade for HRE (1995-2005)
17. International Congress on Education for Human Rights and Democracy, Montreal, 1993 (UNESCO)
18. Article 26 (2),UDHR; Article 13, International Covenant on Economic, Social and Cultural Rights
19. Article 21A; See also Articles 30,41,45 and 51 A(k)
20. Article 39(f)
21. Secondary Education Commission (1952) quoted in NCF 2005 text p.7
22. Harry Dhand, Teaching Human Rights, p.8, Authors Press 2001
23. See, National System of Education, Part III, National Policy of Education 1986 as modified in 1992
24. NCF 2005
25. What is HRE? www.unesco.org
26. UGC website www.ugc.ac.in
27. Illustrations – Mumbai University has a P.G. Diploma Course, Pondicherry University awards diploma, P.G. Diploma and

- also Masters, Indian Institute of Human Rights offers P.G. diploma
28. Since 1999, a paper “Public International Law and Human Rights” of 50:50 weight age is compulsory in the 3 years as well as the five year LLB course.
 29. Dorothy Westby – Gibson, *Social Perspectives on Education*, p.337, 1965 John Wiley and Sons Inc.
 30. Article 31, Rights of a Child Convention, 1989
 31. Read, Sheela Barse, *India : Devaluation and Distortion of Human Rights in textbooks*, [www.country/studies.us/ India/ 37.htm](http://www.country/studies.us/India/37.htm)
 32. 5.2, *Teacher Education for Curriculum Renewal*, NCF : 2005
 33. Supra n.31
 34. Contribution to the 50th Anniversary of the UDHR [Document No. E/CN.4/1998/NGO/3, Commission on Human Rights of the UN, Geneva]
 35. NCF: 2005
 36. Supra n.4 page 11
 37. NCF: 2005
 38. *The district level authority under the Legal Services Authorities Act, 1987*
 39. Chapter 5- *Systemic Reforms*, NCF 2005
 40. P.R.Nayar, *Roles, Responsibilities and Rights of Teachers and Teacher Educators*, in *Contemporary thoughts on Education*, p.188 at p195
 41. Art.13(2) (e), *Convention on Economic Social and Cultural Rights, 1966*
 42. *National Policy of Education 1986 as modified in 1992*
 43. Josephy Abruscato, *Introduction to Teaching and the Study of Education* p.124, 1985, Prentice Hall.
 44. *The report of the Education Commission of 1964-66 (Kothari Commission)*, quoted in Anita Abraham, *formation and Management of Educational Institution*, p.65, Universal 07.