



Human Right Issues and Role of Human Right Education

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Abstract- Every human being is deserved to live with dignity. It is one of the basic or fundamental aspirations of human being. In order to satisfy such basic concern of life, human rights are highly required. Now a day's human right has become a topic of debate. Human right violation in different phases of life pause a great threat to the humanity in a sense.

Keywords: Human Rights, fundamental aspirations

I. INTRODUCTION:

Every human being is deserved to live with dignity. It is one of the basic or fundamental aspirations of human being. In order to satisfy such basic concern of life, human rights are highly required. Now a day's human right has become a topic of debate. Human right violation in different phases of life pause a great threat to the humanity in a sense. Therefore understanding about 'Human right' is a matter of great concern for the sake of humankind itself. Human beings are born equal dignity and rights. So everybody should get the chance to enjoy their rights equally so that they can become a human asset and participate in the nation building process in multiple ways. Human rights are operative from the very beginning of one's life. Human rights can be described as those rights which are possessed by every human being irrespective of his or her caste, colour, sex, race, religion, jurisdiction of particular geographical area etc. Rather these rights are unchallengeable rights of a person by virtue of being human. According to Bennett, "Human Rights include those areas of individual or group of freedom that are immune from governmental interference or that, because of their basic contribution to human dignity or welfare, are subject to governmental guarantee, protections, or promotion." Human rights are also known as fundamental rights or basic rights as it facilitates the human potentialities to develop to the fullest extent. At the critical juncture of current situations, we are to rationalise the intrinsic value of human rights and accordingly operate those basic rights to overcome all the shackles of looking the world or treating the human being in terms of gender, religion, caste, colour and so on.

Rationale of the Study:

Human beings are like a fuel for the smooth functioning of the society. So the fundamental aim or basic concern of education is to enhance human perception towards the various dimensions of life and society. There is an intimate relation between education and human rights. Education plays a vital role for the protection and promotion of human rights. As a result of which the concept of human right education has been popularised. Actually human right education is not an innovative outcome in the field of education. Formally or informally it has been operating in various ways to sensitise the people for their rights. Efforts to define human right education in 1950s and 1960s emphasised cognitive learning for young people in a formal school setting. By the 1970s most educators had extended the concept to include critical thinking skills and concern or empathy for those who have experienced violation of these rights. Human right education should not be treated as subject of study only. It is all about learning, which develops the knowledge, skills and values of human rights. The dimensions of human right education are varied for the inclusive growth of nation. It is directed towards the establishment of peace in the society through strengthening the humanistic foundation and let everyone to live with dignity. Human right education actually develops an insight for the realization of human rights throughout the world. The United Nations Decade for Human Rights Education (1995-2004) has defined Human Right Education as "training, dissemination, and information efforts aimed at building of a universal culture of human rights through the imparting of knowledge, and skills and the moulding of attitudes."

According to Kofi Anna, " Human Right education is much more than a lesson in schools or a theme for a day, it is a process to equip people with the tools they need to live lives if security and dignity."

It can easily be understood that human right education is a vital to develop a culture of human rights and peace and a world that embraces dignity, accountability, security, inclusion and equality. Keeping in mind all these, the investigator tries to explore the diverse issues relating to human right and accordingly the role of education in this context.

Objective of the study:

Major objective of this study is to explore the human right issues and the role human right education to protect and promote human rights of people.

II. METHODOLOGY:

This is primarily a conceptual paper based on secondary sources of data. All the necessary facts and information are collected by the different books journals and websites by the investigator. The objective of the study has been analysed here with the help of description.

Discussion:

The investigator has described the study keeping in mind the objective he undertook.

Major Human Right issues in India:

India is a land of multiculturalism and multilingual. In spite of existing diversity in various domains like religion, language, caste and so on, still we the people India feel a great unifying force with the spirit of patriotism or democratic aspiration. But the increase of human right violation activities at an alarming rate show the pathetic picture of human civilization. The basic motto of human right is to enjoy all the basic rights without disturbing the rights of others. No one is allowed to behave or perform their tasks to violate the human rights of anyone. Otherwise the concept of human rights will deviate from its main track and our progress become superficial. The emerging issues relating to human right with special reference to India are mentioned below-----

- ❖ The Supreme Court has expressed about overcrowding in prisons across the country, in some cases beyond 150 percent of the capacity, and asked all the high courts to consider the issue as 'violation of human rights'. The supreme court pulled up state governments and Union territories over the condition of jails, saying prisoners "cannot be kept in jail like animals"

- ❖ Violence against women in India is the cruel reality which becomes scared to the nation. This issue of violence against women come in various forms like-brutal gang-rape,sexual harassment at public place, work place, acid attack, etc. The most terrific reality is that such violent activities have normalized as daily happenings. It creates phobia of insecurity amongst the women.

- ❖ LGBT issues regarding human right. LGBT stands for Lesbian, Gay, Bisexual and Transgender The stigma and prejudice regarding LGBT right is the prevailing a culture of silence around them and accordingly they have been rejected at home along with discrimination in workplace and other public spaces. So the supreme court of India decriminalized consensual intercourse between person of same sex and read down section 377 of the Indian penal code thus providing a huge boost to the LGBT community of India. However most of the countries in the world still continue to criminalize same sex relationship.

- ❖ Child labour is one of the pathetic picture of the human society which clearly indicates the violation of child right. Most of children in our country are still engaged in workplace as labour instead of sending them to schools. There are various reasons behind the screen of child labour. It is worthwhile to mention that government has taken many steps to eradicate the child labour. For instance the Child Labour Prohibition & Regulation Amendment Act, 2016, Right to Free and Compulsory education Act,2009 and recently launching PECIL(Platform for Effective Enforcement for No child labour) portal to child labour on 26 September 2017 by the Union Ministry of Labour and employment.

- ❖ Abortion after determining sex is a great threat to the humanity

- ❖ Extrajudicial killing and mob lynching are on the rise of the country. Both are illegal and malignant to the people of the country.

- ❖ Problems faced by scheduled caste and scheduled tribes, religious Minorities, person with disabilities.

- ❖ The problems of ethnic violence, exploitation over women and children, and the issue regarding hunger, illiteracy, poverty, unemployment should also be considered in the context of human right.

- ❖ Terrorism is one of the burning problems that violate the human right to a larger extent.

Characteristics of Human right:

The universal Declaration of Human Rights states that “ every individual and every organ of society shall strive by teaching and education to promote respect for these rights and freedom and by progressive measures, national and international, to secure their universal and effective recognition and observance.”

The essence of human right is that all human beings are born with certain natural rights. Those rights are the basic requirements of every individual for the survival and development in the society. Some of the characteristics of human right are specified as follows to have a better understanding about human rights-

- Human rights are universal in nature without consideration of caste, colour, sex, religion, nationality and so on.
- Human rights are primarily concerned with human dignity so that every individual treat each other regardless of the fact that the person is male or female, rich or poor.
- Human rights are natural rights that all human beings possess simply by virtue of being human.
- Human rights always duties i.e. “ No duties no Rights and No Rights no Duties”
- Human rights are dynamic as per the dynamic nature of the society. It goes on expanding with the socio-cultural, political and economic developments are taking place.
- Human rights are not confined within a geographical area, it is an international concept.
- Human rights are inalienable. We can not transfer these rights from one to another as per our own choice.
- Human rights are protected and enforced by the laws of the state. It is the duty of the state to protect the rights of every individual.
- Human rights are utmost important for the development of individual life as well as the life of society.
- Human rights are not absolute. These rights also have certain kind of limitations for its smooth functioning in the society and thus to maintain public health, security, morality and peace.

Universal Declaration of Human Right Commission:

The Universal Declaration of Human Rights (UDHR) is a declaration adopted by the United Nations General Assembly on 10 December 1948 at the Palais de Chaillot in Paris, France. The Universal Declaration of Human Rights will help every individual to cognize the importance of human rights for leading a dignified life on the planet earth. So these rights cannot be confined to the jurisdiction of any state. There was a broad-based international support for the declaration when it was adopted. The declaration was drafted by a committee of the UN Commission on Human Rights set up in 1946, and 58 member states of the UN General Assembly adopted the declaration. Among the member states India was also a signatory. The universal Declaration of Human Rights consists of 30 articles. A brief description of each article was given below-----

Article 1.

Article 1 clearly stated that all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in spirit of brotherhood.

Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3.

Everyone has the right to life, liberty and security of person.

Article 4.

No one shall be held in slavery or servitude, slavery and the slave trade shall be prohibited in all their forms.

Article 5.

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6.

Everyone has the right to recognize everywhere as a person before the law.

Article 7.

All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8.

Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9.

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10.

Everyone is entitled in full equality of a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11:

- (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.
- (2) No one shall be held guilty of any penal offence on an account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed.

Article 12:

No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13 :

- (1) Everyone has the right to freedom of movement and residence within the borders of each state.
- (2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14:

- (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.
- (2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15:

- (1) Everyone has the right to nationality.
- (2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16:

- (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.
- (2) Marriage shall be entered into only with the free and full consent of the intending spouses.
- (3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the state.

Article 17:

- (1) Everyone has the right to own property alone as well as in association with others.
- (2) No one shall be arbitrarily deprived of his property.

Article 18:

Everyone has the right to freedom of thought, conscience and religion, this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19:

Everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20:

- (1) Everyone has the right to freedom of peaceful assembly and association.
- (2) No one compelled to belong to an association.

Article 21:

- (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.
- (2) Everyone has the right of equal access to public service in his country.
- (3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22:

(1) Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23:

- (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.
- (2) Everyone, without any discrimination, has the right to equal pay for equal work.
- (3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.
- (4) Everyone has the right to form and to join trade unions for the protection of his interest.

Article 24:

Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25:

(1) Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

Article 26:

(1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory.

Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

Article 27:

(1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28:

Everyone is entitled to a social and international order in which the rights and freedoms set forth in this declaration can be fully realized.

Article 29:

(1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

Article 30:

Nothing in this declaration may interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Role of Human right education:

Human right education lays emphasis on the contribution to the long-term prevention of human rights abuses and represents an important investment in the endeavour to achieve a just society; some of the important aspects of human right education are pointed out in the following ways-----

- Human right education awakens the inner consciousness of every human being towards their basic rights for living with dignity.
- Human right education encourages the students to be courageous and raise their voice against the violation of their rights.
- Human right education changes the people from within. It changes people's views, attitude, behaviour and practices for the protection and promotion of human rights.
- Human right education seeks to prevent human rights abuses and building a society where respect towards individuality is found.
- Human right education stimulates our rational thinking to cognize the importance of human rights throughout the world.
- Right always implies duties. So human right education encourages the working spirit of the students to perform their tasks in a better way to contribute in the process of nation building.

- Human right education is important to uphold the beauty of Indian democracy and thus to practice its ideals in reality,
- Human right education facilitates the development of inborn qualities of every human being to the fullest extent.
- Human right education promotes understanding, tolerance, gender equality, sense of association among all the nations of the globe.
- Human right talks about the rights of children, women, differently able individuals, lesbian, gay, bi-sexual, transgender and other disadvantaged groups for the inclusive growth of the society.
- Human right education helps everyone to adopt peaceful means of living. Therefore it propagates national integration and international brotherhood.
- Human right education is extremely important to curb the prevailing condition of unemployment, terrorism, sense of insecurity, sexual exploitation and so on.
- Human right education teaches us to enjoy our own rights without disturbing the rights of others.
- Human right education provides a space for independent thinking to internalize the value of life in the context of social expectation and interrelationship.
- Human right education helps to realize the value and importance of fundamental duties and obligation towards society and the state as well.

Role of Educational institute in promoting human right:

Education has often been seen as a fundamentally optimistic human endeavour by aspirations for progress and betterment. Accordingly educational institute is a place where children can develop their unique potentialities and utilize for the upward mobility in the society. Educational institute is one of the greatest driving forces of social change. It prepares every individual to become an asset for the nation and thus work in a productive manner for the sustainability of human civilization. Considering the changing demands of life and society, educational institute has to play many key roles .Dissemination of knowledge about human rights and help the students to acquire the skills to protect and promote those rights, educational institute has to impart human right education in a more planned manner. Some of the measures that can be taken by the educational institute to promote human rights are mentioned below----

1. Educational institute through various programs , should take up issues like right to food, right to health , right to education etc to raise awareness about them. This also helps the student to engage directly with human right issues on ground level .
2. Every educational institute must celebrate 10 December as international human right day.
3. Developing relevant curriculum and learning materials to lay emphasis on the various issues relating to human rights .
4. Developing civic sense of responsibility among the students to raise their voices against human right violation activities and encourage them to participate in the activities such as blood donating camp , student council , services to the people in difficulties etc.
5. Educational institute should create a democratic environment in the educational setting where the students can share their views and opinions freely.
6. Training of teachers is necessary to impart human right education in an effective manner.
7. Organizing seminar, workshop, and conference on human rights.
8. Developing skills, attitudes and values for the learners to apply human right values in their lives and to take action for promoting and defending human rights.
9. Human right education must be included as the component of science, Humanities, Languages and in professional courses.
10. Development of innovative training and learning approaches for the successful implementation of human right education.
11. Including a gender awareness perspective and an intercultural dimension as inherent to the concept of equality in human dignity.
12. Students should be taught to show respect towards each other irrespective of gender, caste, religion, cultural and regional background etc.
13. There should be the provision of citizenship training to develop the qualities of good citizen so as to strengthen the democratic set up of the country.
14. Community education programmes are to be organized by the educational institute to transfer the skills laying focus on the human right issues. So there is the need of creating and nourishing community –school partnership.

III. CONCLUSION:

Education is an important element in the struggle for human rights. It is the means to help our children and our people rediscover their identity and thereby increase their self-respect. Education is our passport to the future, for tomorrow belongs only to the people who prepare for it today"--- Malcolm.

The concept of human right education has always been valued in democracy. It is now realized that in the globalized world, human right education is essential for academic excellence and equity, stimulating independent thinking for the promotion of democratic values. Therefore human right education needs to develop a global understanding about diverse issues relating to human rights. Accordingly it must inculcate knowledge, values, skills and attitude to combat against all the external and internal threats to humanity.

REFERENCES:

1. Aggarwal, J.C. (1990) Theory and Principles of Education, New Delhi, Vikash Publishing House Pvt. Ltd.
2. Ghosh Sunanda and Mohan Radha (2016), Education in Emerging Indian Society: The Challenges and Issues, PHI Learning private Limited.
3. Kumar Malhotra Vinay (1993), International Relations, Anmol Publications pvt.Ltd.
4. Laxmikanth M(2004) , Indian Polity, published by MCGraw Hill Education(India) private limited.
5. MANOROMA YEARBOOK 2018.
6. S.K. Kapoor(1999), Human Rights under International law and Indian Law, Published by Central law Agency.
7. Swami Sanjay k(2014), Trends and Issues in Indian Education, Kalyani Publishers Ludhiana.
8. Thakur A.S. and Thakur Abhinav(2014) Development of Education system in India: Problems and Prospects. Agrawal Publications.
9. www.google scholar.com