

***Law Audience Journal, Volume 2 & Issue 1, 6th May 2019,
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.611, Published at
<https://www.lawaudience.com/volume-5-issue-5-2/>, Pages: 5 to 12,***

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***



Cite this article as:

DR. VIJAY CHAUDHARY, "Human Rights Education in India: Present Status and Challenges", Vol.2 & Issue1,
Law Audience Journal (e-ISSN: 2581-6705), Pages 5 to 12 (6th May 2019), available at
<https://www.lawaudience.com/human-rights-education-in-india-present-status-and-challenges/>.

***Law Audience Journal, Volume 2 & Issue 1, 6th May 2019,
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.611, Published at
<https://www.lawaudience.com/volume-5-issue-5-2/>, Pages: 5 to 12,***

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***

| Copyright © 2024 By Law Audience Journal |

(E-ISSN: 2581-6705)

All Copyrights are reserved with the Authors. But, however, the Authors have granted to the Journal (Law Audience Journal), an irrevocable, non-exclusive, royalty-free, and transferable license to publish, reproduce, store, transmit, display, and distribute it in the Journal or books or in any form and all other media, retrieval systems and other formats now or hereafter known.

No part of this publication may be reproduced, distributed, or transmitted in any form or by any means, including photocopying, recording, or other electronic or mechanical methods, without the prior written permission of the publisher, except in the case of brief quotations embodied in critical reviews and certain other non-commercial uses permitted by copyright law.

For permission requests, write to the publisher, subject of the email must be "Permission Required" at the email addresses given below.

*Email(s): lawjournal@lawaudience.com, info@lawaudience.com,
lawaudience@gmail.com.*

Phone (No(s)): +91-8351033361,

Website: www.lawaudience.com.

Facebook: www.facebook.com/lawaudience.

Instagram: www.instagram.com/lawaudienceofficial.

Contact Timings: 10:00 AM to 8:00 PM.

Law Audience Journal, Volume 2 & Issue 1, 6th May 2019,
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.611, Published at
<https://www.lawaudience.com/volume-5-issue-5-2/>, Pages: 5 to 12,

Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,

Disclaimer:

Law Audience Journal (e-ISSN: 2581-6705) and Its Editorial Board Members do not guarantee that the material published in it is 100 percent reliable. You can rely upon it at your own risk. But, however, the Journal and Its Editorial Board Members have taken the proper steps to provide the readers with relevant material. Proper footnotes & references have been given to avoid any copyright or plagiarism issue. Articles published in Volume 5 & Issue 5 are the original work of the authors.

Views or Opinions or Suggestions (if any), expressed or published in the Journal are the personal point of views of the Author(s) or Contributor(s) and the Journal & Its Editorial Board Members are not liable for the same.

While every effort has been made to avoid any mistake or omission, this publication is published online on the condition and understanding that the publisher shall not be liable in any manner to any person by reason of any mistake or omission in this publication or for any action taken or omitted to be taken or advice rendered or accepted on the basis of this work.

All disputes are subject to the exclusive jurisdiction of Courts, Tribunals and Forums at India only.

Submit your article(s) for Publications at lawaudience@gmail.com, or
lawjournal@lawaudience.com, with subject as "Submission of Paper(s) for
Publication in Law Audience Journal".

*Law Audience Journal, Volume 2 & Issue 1, 6th May 2019,
e-ISSN: 2581-6705, Indexed Journal, Impact Factor 5.611, Published at
<https://www.lawaudience.com/volume-5-issue-5-2/>, Pages: 5 to 12,*

*Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,*

Publisher Details:

Law Audience Journal (e-ISSN: 2581-6705),

*Sole Proprietorship of Mr. Varun Kumar, Kharar, District.
S.A.S, Nagar, Mohali, 140301,*

Phone No(s): +91-8351033361 (WhatsApp),

*Email ID(s): lawjournal@lawaudience.com,
info@lawaudience.com or lawaudience@gmail.com.*

Website: www.lawaudience.com.

Contact Timings: 10:00 AM to 8:00 PM.

Editor(s):

- *Dr. Amit Yadav, Editor-In-Chief at Law Audience Journal, Assistant Professor at School of Law, Manipal University Jaipur.*
- *Adv. Varun Kumar, Founder-CEO-Owner-Publisher-Publishing Editor at Law Audience Journal.*

Editorial Board Members Details Are Available At:

<https://www.lawaudience.com/editorial-board-members/>.

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***

Human rights education is a lifelong process that builds knowledge and skills, as well as attitudes and behaviours, to promote and uphold human rights.

- Irina Bokova¹

I. INTRODUCTION:

Since the dawn of human civilization, education has been playing a significant role in awakening, educating and empowering human beings for imparting multiple tasks in society. It is universally accepted that education is the best source of social mobility, equality, and empowerment, both at the individual and collective levels. Further, it is considered as a precondition for a healthy democratic society. It is thus important that education include the study of peace, human rights, and democracy as essential to society's development.² *The Universal Declaration of Human Rights (UDHR)*, adopted by the United Nations General Assembly on 10 December 1948 aptly states, *"All human beings are born free and equal in dignity and rights"*³ The conceptual core of human rights education is human dignity, its recognition, fulfillment, and universalization. Human Right Education not only equips learner with the knowledge of human rights, but it also fosters the development of values, attitudes, skills and behaviour that prompt action to defend and promote human rights, democracy and the rule of law.

II. HUMAN RIGHT EDUCATION:

There is no generally agreed definition of human rights education, although many endeavours have been made to arrive at a suitable definition. The Council of Europe's Human Rights Education Youth Programme defines human rights education as:

¹ Former Director-General United Nations Educational, Scientific and Cultural Organization (2009-2017)

² Pranati Panda, "Human Rights Education in Indian Schools: Curriculum Development" IV *HREAS* 85 (2001).

³ Universal Declaration of Human Rights, 1948, Article 1.

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***

...educational programmes and activities that focus on promoting equality in human dignity, in conjunction with programmes such as those promoting intercultural learning, participation and empowerment of minorities.

Human Right Education is also defined as a life-long process by which people at all levels of development and in all strata of society learn respect for the dignity of others and the means and methods of ensuring that respect in all societies.⁴ The Plan of Action for the United Nations Decade for Human Rights Education further defines human rights education as an effort to build a universal culture of human rights through the imparting of knowledge and skills and the moulding of attitudes. ***Human Rights education should be directed towards:***

- a) Strengthening of respect for human rights and fundamental freedoms.
- b) Full development of the human personality and the sense of its dignity.
- c) Promotion of understanding, tolerance, gender equality, and friendship among all nations, indigenous peoples and racial, national, ethnic, religious and linguistic groups.
- d) Enabling of all persons to participate effectively in a free society; and
- e) The furtherance of the activities of the United Nations for the maintenance of peace."⁵

The focus of human rights education is on the personality development of a human being in terms of not only literacy but also a world where all people would live in dignity with one another, free of humiliation, exploitation and discrimination.

III. THE NEED FOR HUMAN RIGHTS EDUCATION:

The importance of human right education hardly requires any over emphasis. It has a crucial role in preventing human right violations from occurring. The United nation proclaimed that human right education is ‘training, dissemination and information efforts aimed at the building of a

⁴ United Nation General Assembly Resolution 49/184, 23 December 1994, Available at: <http://hrlibrary.umn.edu/edumat/hreduseries/hrhandbook/part1B.html>

⁵ Plan of Action of the United Nations Decade for Human Rights Education (1995-2004), Para. 2.

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***

universal culture of human rights through the imparting of knowledge and skills and the molding of attitudes'⁶. These efforts are designed to strengthen respect for human rights and fundamental freedoms, facilitate the full development of human personality, sense of dignity, promote understanding, respect, gender equality and friendship to enable all persons to participate effectively in a free society, and further activities for maintenance of peace.

Human rights education, training and public information are, therefore, necessary and essential for the promotion and achievement of stable and harmonious relations among the communities and for fostering mutual understanding, tolerance and peace. Through the learning of human rights as a way of life, fundamental change could be brought about to eradicate poverty, ignorance, prejudices, and discrimination based on sex, caste, religion, and disability and other status amongst the people.⁷

IV. WHY HUMAN RIGHTS EDUCATION IN INDIA?

Human rights are a prerequisite for peace, development and democracy. India is the largest democracy in the world. It is also a big country with a lot of human rights challenges. The major population of India resides in villages which do not get sufficient education support. About 35% of the population is illiterate. Problems like trafficking, exploitation of women commercially and sexually, religious violations, caste related issues are some examples leading to human rights violations. Moreover, many prisoners in India are also denied their human rights. If human rights are violated in India, the biggest democracy in the world will be in danger. For the sake of

⁶ Ibid

⁷ Sandeep Srivastava, "Role of Human Right Education in Global Era", Available at: <http://airo.org.in/wp-content/uploads/2017/01/2-Paper-12.pdf>

Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,

democracy and sustainable development in India, Human Right Education is essential.⁸ Knowledge of human rights is the best defence against their violation. Learning about one's rights builds respect for the rights of others and points the way to be more tolerant and peaceful societies. The need to promote & protect all human rights is important to secure full & universal enjoyment of these rights that 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 human rights values. Awareness is important to resolve the human right conflicts. This matured participation can be achieved only with human rights education.⁹

V. HUMAN RIGHTS EDUCATION IN INDIA: PRESENT STATUS:

All human beings are born free and equal in dignity and rights is what the Indian have been preaching since time immemorial as it has become the immemorial customs of our nation. There is a long tradition of standing up for the weak against abuse by the strong. In India, the content of human rights education is not different to what was taught by way of religion, be it Hinduism, Buddhism, Christianity or Islam. The quintessence of human rights is also the basic essence of all religions i.e. Love, compassion, loving kindness. The Constitution adopted for the India after independence is the very foundation of human right education. The preamble of the Constitution pledges to secure to all the citizens of India justice -social, economic and political. Further, the Constitution of India guarantees fundamental rights¹⁰ and also assigns duties¹¹ to the citizens. The fundamental rights and the fundamental duties are interrelated, interlinked and interdependent. The citizens are morally obligated by the Constitution to perform these duties.

⁸ T. Thilagavathy and Sheeraz A. Kuchy, "Human Right Education in India: Importance, Present Status and Future Action" 1 *APJR* 122 (2016).

⁹ Ibid.

¹⁰ Constitution of India, Part III, Articles 12-35

¹¹ Ibid, Part IV-A, Article 51-A

Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,

However, like Directive Principles¹², these are non-justifiable, without legal sanction in case of their violation or non-compliance.

A. UGC Vis-A-Vis Human Rights Education:

Besides the foundation of human rights education, which is laid in the Constitution of India, some abortive efforts were made in the mid-eighties to promote human right education in the country. In this direction, the University Grants Commission (UGC) had appointed a committee on Human Rights Education under the Chairmanship of Mr. Justice S.M. Sikri, the then judge of Supreme Court of India in 1980. The Sikri Committee came up with a comprehensive report titled '*Blueprint for Promotion of Human Rights in India at All Levels*' in 1985. This blueprint contained proposals for restructuring of existing syllabi, and introduction of new courses and foundation courses in Human Rights. This was for students of all faculties at the under-graduate, graduate and post-graduate levels for both professional and non-professional education.¹³ The Sikri Committee Report was sent to NCERT and to various universities to initiate follow-up action in the matter. However, the UGC, NCERT, and the universities took no effective follow-up action till the late 1980s. An attempt to introduce human rights teaching in all universities was made in 1985 when a national symposium was organized by the Human Rights Centre of the Jawaharlal Nehru University, New Delhi, with support of the UNESCO and the UGC. The Symposium made a set of recommendations regarding teaching of human rights from primary level to college/university including professional levels. Subsequently, its recommendations were published and widely circulated to all universities and educational institutions. It persuaded the University Grants Commission to introduce human rights education at the university level.

¹² Ibid, Part IV, Article 36-51

¹³ Guidelines for Human Rights & Value Education, XI th Plan, University Grant Commission, New Delhi.
Available at: <https://www.ugc.ac.in/oldpdf/xiplanpdf/humanrights.pdf>

Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,

As a result, human rights education is now being imparted in over 35 Universities /Colleges across the country and in the National Law Schools.¹⁴

B. The Protection of Human Rights Act, 1993:

The Parliament of India has passed The Protection of Human Rights Act, 1993¹⁵, which further strengthened the efforts to promote recognition and awareness of human rights. An Act to provide for the constitution of a National Human Right Commission, State Human Right Commission in States and Human Right Courts for better protection of human rights. The National Human Rights Commission has been expressly mandated to undertake and promote research and to create awareness and literacy in the field of human rights in collaboration with universities, institutions and non-governmental organizations and media.¹⁶ The National Human Rights Commission of India and many NGOs have launched a countrywide public information campaign for human rights. It aims to make everyone more conscious of human rights and fundamental freedoms, and better equipped to stand up for them. At the same time, the campaign spreads knowledge of the means which exist at the international and national levels to promote and protect human rights and fundamental freedoms.¹⁷ The National Human Rights Commission in collaboration with the NCERT had brought out a Source Book on Human Rights in 1996. The source book is prepared for the promotion of Human Rights Education in the country at School level and Dossiers on Human Rights Education for Beginners (2005) for college and University level. Further, NHRC Recommended Module on Human Rights Education for Teaching Professionals for Primary, Secondary and Higher Secondary levels (2007) and National Curriculum Framework for University Students on Human Rights Education.¹⁸

¹⁴ A. Tiwari, "Human Right Education: Role of Teaching and Training Instituion" 65 *IJSW* 430 (2004)

¹⁵ Act No. 10 of 1994

¹⁶ The Protection of Human Rights Act, 1993, Section 12

¹⁷ Supra Note 7 at 90

¹⁸ Kamlesh Kumar, "Relevance of Human Right Education in Indian Society", *YOJNA* (Feb. 2018)

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***

C. Right To Education Act, 2009:

Literacy forms the cornerstone for making the provision of equality of opportunity a reality. The Indian Constitution has therefore recognized education as the essence of social transformation and consequently the Hon'ble Supreme Court also held in **Mohini Jain vs. State of Karnataka**¹⁹ that-

'the right to education flows directly from the right to life. The right to life and the dignity of an individual cannot be assured unless it is accompanied by the right to education.'

The 86th Constitutional Amendment inserted Article 21-A which expressly recognizes right to education as fundamental right. In the year 2009, to make Article 21-A legally enforceable, the Parliament enacted the Right of Children to Free and Compulsory Education Act,²⁰ which came into force from 1st April 2010. The Act promises quality and compulsory education, free of cost, irrespective of class and gender, to all children aged six to fourteen and to equip them with knowledge, skills and values to make responsible citizens of India. This Act acknowledged and strengthened the United Nations' Universal Declaration of Human Rights (UDHR), adopted in 1948. And, numerous human rights treaties accepted and recognized internationally, identifies right to education as a fundamental aspect for development and social transformation. There are a large number of human rights problems, which cannot be solved unless the right to education is addressed as the key to unlock other human rights.

VI. MAJOR CHALLENGES:

There is no doubt that initiatives have been taken by the educational organizations like UGC, NCERT and NCTE for promoting human right education in India. However, it is observed that still the school curriculum needs sincere review. Human Right as a separate subject should be

¹⁹ (1992) 3 SCC 666

²⁰ Act No. 35 of 2009

***Title: Human Rights Education in India: Present Status and Challenges,
Authored By: Dr. Vijay Chaudhary, Assistant Professor, University
Institute of Legal Studies, Avalodge, Shimla,
Email Id: vijaychaudhary80@gmail.com,***

taught from the primary level itself, which is still missing. Further these initiatives are directed toward formal education on human rights, but in India where the half of the population is illiterate therefore focus must not only be on formal schooling only. It is painful to admit that violation of human rights is a regular feature across the country. Woman and children are abused in every place. Moral and ethical values exist in name only. No practices of values. Also, machinery designed to ensure the protection of Human rights is not adequate to tackle large number of personnel and people are unaware of the structure and functions of such machinery.

VII. CONCLUDING OBSERVATIONS:

Human Rights education is a difficult and challenging task. In country like India where violations of human rights are common feature at all levels necessitate human rights education at all school levels in general and teacher education in particular. Hence, human rights education should find its rightful place in the school curriculum, teacher training courses, textbooks, supplementary reading materials, educational policies, and school administration. Human rights education must exert its influence from early childhood education onward and through a broad range of disciplines to build a human rights culture. Hence, greater commitment from all sectors and preparation of a sound, realistic plan of action can help us achieve human rights education for all and transform the human rights movement into a mass movement to achieve a better social order and peaceful coexistence.