CHAPTER TWO
The Conceptual Framework

A Conceptual framework, according to educational researcher Smyth (2004), is structured from a set of broad ideas and theories that help a researcher to identify properly the problem he is looking at, frame research questions and find suitable literature. Most academic research uses a conceptual framework at the outset, because it helps the researcher to clarify his research question and aims.

In the present research, the conceptual framework serves as a tool for the researcher to guide the inquiry; it is a set of ideas used to structure the research, a sort of map that may include the literature review, researches and so on, to provide a theoretical base to the research. The researcher, also, uses the present conceptual framework to guide the data collection and analysis. In the present research, the conceptual framework has been developed with reference to the research objectives and is developed in four sections, as given below. Each section, individually and collectively, facilitates and informs data collection, as well as analysis. The conceptual framework, enables the researcher to find links between the existing literature and his own research goals.

The present conceptual framework helped the researcher to set coherent ideas about human rights, human rights education and a human rights perspective. It also helped the researcher to realize what he was doing and what it meant, with regard to the ideas and the research of others. It provided an overview of ideas and practices that shaped the way the work was done.

The entire conceptual framework of the research has been presented in four segments.

I. Concepts, Development and Concerns in Human Rights
II. A Human Rights Perspective in the Curriculum.
III. A Human Rights Perspective in Pedagogy.
IV. A Human Rights Perspective in Co-curricular Activities.
I. Concepts, Development and Concerns in Human Rights

Human rights can be defined as the Rights that an individual enjoys for being human. After World War II, this term replaced the term ‘natural rights’, which dated back to the Greco-Roman concept of natural law. Today, we can define human rights as those fundamental and universal set of values and capabilities representing the diversity and history of humans and belonging to every human being. They have been classified in three generations: First, the rights which were generated by the English, American and French revolutions, such as the right to life and liberty, right to freedom of speech and worship, and so on. The second generation of economic, social, and cultural rights, associated with revolts against the predations of unregulated capitalism from the mid-19th century, includes the right to work and the right to education. Finally, the third generation of solidarity rights, associated with the political and economic aspirations of developing and newly decolonized countries, after World War II, which includes the collective rights to political self-determination and economic development (Freeman, 2003). Since the adoption of the Universal Declaration of Human Rights, in 1948, many treaties and agreements for the protection of human rights have been concluded, through the auspices of the United Nations, and several regional systems of human rights law have been established. In the late 20th century, ad hoc international criminal tribunals were convened to prosecute serious human rights violations and other crimes in former Yugoslavia and Rwanda. The International Criminal Court, which came into existence in 2002, is empowered to prosecute crimes against humanity, crimes of genocide, and war crimes.

According to Andorson (2001), human rights is a concept that has been, constantly, evolving throughout human history. It has been tied to the laws, customs and religions throughout the ages. One of the first examples of a codification of laws, that contains references to individual rights, is the tablet of Hammurabi. The tablet was created by the Sumerian king Hammurabi, about 4000 years ago. This kind of precedent and legally binding document protects the people from arbitrary persecution and punishment. Human rights have their foundations in Ancient Greece, where human rights were synonymous to natural rights or natural law which, according to Socrates and Plato, reflected the natural order of the Universe, the will of the Gods who controlled nature. Thus, the idea of human rights have existed since a very long time.
The Roman jurist, Ulpian, even said that natural rights belonged to every person, whether that person was a Roman citizen or not. Despite this principle, there are fundamental differences between human rights today and the natural rights of the past. It was natural to keep slaves, and such a practice goes contrary to the ideas of freedom and equality that we associate with human rights today. In the middle ages, (and, later, the renaissance) the decline in power of the church, led society to place more emphasis on the individual, which, in turn, caused a shift away from feudal and monarchist societies, letting individual expression flourish. The next fundamental philosophy of human rights arose from the idea of positive law. Thomas Hobbes, (1588-1679) saw natural law as being very vague and too open, to vast differences of interpretation. Therefore, under positive law, instead of human rights being absolute, they can be given, taken away, and modified by a society to suit its needs. Jeremy Bentham, another legal positivist, sums up the essence of the positivist view: “Right is a child of law; from real laws come real rights, but from imaginary law, from laws of nature, come imaginary rights….Natural rights is simple nonsense”. This transfer of abstract ideas, regarding human rights and their relation to the will of nature into concrete laws, is exemplified best by various legal documents that, specifically, describe these rights in detail.

The Concept of Human Rights

Human rights are the rights a person has, simply, because he or she is a human being. Human rights are held by all persons, equally, without any discrimination. “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 a spirit of brotherhood”[Article 1 of the United Nations Universal Declaration of Human Rights (UDHR)]. Kant said that human beings have an intrinsic value, absent in inanimate objects. To violate a human right would, therefore, be a failure to recognize the worth of human life (Melden,1977). Human rights, as a concept, has an evolving nature. It has been developed through laws, customs and religions, throughout the centuries. In some form or the other, the understanding that one should not do to others which he does not want to happen to himself, has been acknowledged, in most societies across the world. The Hindu Vedas, the Babylonian Code of Hammurabi, the Bible, the Quran
and the Analects of Confucius are five of the oldest written sources, which address questions of people’s duties, rights and responsibilities.

Different ways exist, in different nations, to provide these rights to the people. In India, they have been mentioned in the constitution as fundamental rights. In the UK, they are available through precedence, laid down by the courts, through case law. In addition, international laws and conventions, also, provide certain safeguards.

According to Buergenthal Thomas (1976), human rights are associated with the "basic rights and freedoms to all humans." Examples of rights and freedoms, which both represent human rights, include civil and political rights, such as the right to life and liberty, freedom of expression, and equality before the law; and social, cultural and economic rights, including the right to participate in culture, the right to food, the right to work, and the right to education. According to S. Augender (2002) “A human right is a universal moral right, something which all men, everywhere, at all times, ought to have, something of which no one may be deprived, without a grave affront to justice, something which is owing to every human simply, because he is human.”

Human rights are nontransferable: you cannot lose these rights anymore, because you are a human being. Human rights are inseparable: you cannot be refused of a right, because it is less significant or not necessary. Human rights are interdependent: it means all the rights one has, are interrelated, such as without right to free expression, how one can criticize the police and the government? How will one be aware of his rights, if the right to education does not exist?

Human rights can, also, be understood in the form of such standards, without which a person cannot live a life with dignity. To violate someone's human rights, is to treat that person, as if he or she is not a human being. To advocate human rights, it is necessary to respect the dignity of all human beings.

To celebrate these human rights, everyone must understand responsibility towards raising voice against the violation of someone’s rights and everyone should accept the principle of non-encroachment to others rights.

Basic requirements for human rights – According to K. Vasak (1982), any society that is to protect human rights must have the following characteristics:
1. A free state, where the combination of right to self-determination and rule of law is in practice.
2. A legal system for the protection of human rights, that is accessible to all irrespective of any kind of discrimination.
3. Effective organization for society, based on an egalitarian understanding.

The Approaches to Human Rights

According to McDougal (1906), there are many approaches to human rights. It is important to mention that some of them have already been discussed in the introductory chapter. The Natural Law Approach focuses on a natural law that is higher than positive law i.e. law created by man and to which the latter must conform. Natural law is based on equality. However, since it employs means such as the revelation of divine will, transcendental cognition and participation in natural reason, none of its claims have ultimate confirmation or rejection. Whereas, a major feature of the Positivist Approach is that it does not consider the will of the people; it does not take cognizance of an individual, but of the nation. It looks at the law-making authority, which needs to be followed, even if by force. The obedience comes, not by force, but innately. This can only be possible, if the laws are based on the values of society. The Marxist Approach is associated with Karl Marx, in the context of the 19th century industrial revolution. It argues that human rights cannot exist in a capitalist state. They can only exist in a society, where means of production are in the hand of common men. It provides the framework of a communist state, where human rights can be, actually, enjoyed. The Social Science Approach believes that human rights can be understood in the process of a broader social context, which includes society's role in developing rights, though, the work depends upon scientific methods and techniques to understand the relation between laws and social processes.

Tracing the History of Human Rights

It is interesting to describe the history of human rights, through a succession of intellectual breakthroughs and revolutionary declarations. This perspective, which has long dominated the study of human rights, leads us from the seventeenth century ideas on natural rights by Hugo Grotius and John Locke, to Jean-Jacques Rousseau’s
use of the term ‘rights of man’ in The Social Contract (1762), to the American Declaration of Independence (1776) and the French Declaration of the Rights of Man and Citizen (1789), both claiming that all men are free and equal, to, finally, the United Nations’ Universal Declaration of Human Rights (1948), which proclaimed that all human beings are free and equal. Clearly, such a history of intellectual advances is attractive, as it is both synoptic and optimistic. Lynn Hunt’s new, fast-paced book, Inventing Human Rights (2007) shows, however, that it also provides us with a, rather, incomplete analysis of the development of human rights. (Lynn, Hunt, 2007)

Throughout human history, traces of human rights can be seen, which makes the idea of human rights as old as human civilization. Human rights have existed, even during ancient times, either orally or in the manuscripts, which is testified by different ancient documents, religious or philosophical. Notable among such documents are the Edicts of Ashoka, issued by Ashoka the Great, of India, between 272-231 BC and the Constitution of Medina of 622 AD, drafted by Muhammad, to mark a formal agreement between all the significant tribes and families of Yathrib (later known as Medina). However, attention towards the protection of human rights emerged and developed after the world wars. Before these two internal inhumane incidents not much codification has been done to protect and promote human rights, neither at the national nor the international level.

The development of human rights existed even before the Greeks. The period has, thus, been classified as pre-world wars and post war eras. The latter has been, further, divided into normative foundation, institution building and stage of implementation. Several important documents, such as the Magna Carta, French Declaration of the Rights of Man, UDHR, ICCPR (International Covenant on Civil and Political Rights) and so on, plus a brief discussion of various approaches to human rights, have been mentioned.

The Period before World War and Human Rights

In history, Babylonian laws can be seen as the first attempt to protect the rights of man, where the Babylonian King, Hammurabi, issued a set of laws to his people called the “Hammurabi Code”. This established fair wages, offered protection of
property and required changes to be proven at a trial. The development of human rights may be divided into different periods, prior to the two world wars. The first is before the Greek Period. The Tablet of Hammurabi is the first known law of individual rights. The tablet was created by the Sumerian king, Hammurabi, about four thousand years ago. While considered barbaric by today's standards, the system of two hundred and eighty two laws, created a provision for a legal system. This kind of system protects the people from arbitrary prosecution and punishment. The main problem with this tablet is that it does not talk about the ideas of caste, class, religion and personal liberty. The Greeks were the first to present a larger meaning of human rights, than just prevention of some random harassment. They talked of natural rights, which were universal and were forced upon everyone. Natural rights formed the basis for human rights. Plato associates natural law with God’s will, which is supreme, and applies it to the whole universe. Then, we move on to the Roman Period. The universality of natural rights is the main characteristic of this period, where this understanding becomes prominent, that all human beings are entitled to natural rights, within and outside Rome. The Greco and Roman doctrine (“stoicism”, The school of philosophy founded by Zeno and Citium) of natural law is accepted as the origin of human rights. It, also, focuses on the fact that all human nature must be assessed by natural law. During the Christian Period, the idea of natural law continued even after the Roman period, which forwarded the cause of human rights. However, this time, natural law was considered the will of God for men, by the Holy Scriptures. This view perceived that all laws of government and property were by products of sin and these are in contrast and against the law of God. The church, as the exponent of divine law, could override the State. During the Medieval Period, human rights were associated with natural law. St. Thomas Aquinas tried to assemble the teachings of the Church and the natural law and divided it into 4 parts: First: Eternal law, the law of God; Second: Natural law, the law after applying reason; Third: Divine law, the law given in scriptures; Fourth: Human law, the law made by man. Aquinas said that natural law is the source of eternal law, which emerges through religion and is the sign of religion. Social Contractualist is the next fundamental philosophy of human rights, which arose from the idea of positive law. Thomas Hobbes (1588-1679) saw that the existing concept of natural law was very abstract and vague. It also did not have any common stand for interpretation and explanation. John Locke is considered the renowned personality who, extensively, talked about the growth and development of human rights, by assertively saying that all humans have three rights: rights to life,
liberty and property. He, basically, clubbed three ideas i.e. rationality, equality and the natural rights of God. According to Freeman (2003), governments, that continuously exploit these rights, become a dictator and so lose their legal entitlement to rule. Locke’s understanding became the basis of the developmental changes of future discourse of human rights. The concept of natural rights was very extensive in America and they saw the English rule as authoritarian, having lost its legal entitlement to rule, as they were violating people’s rights. Locke’s understanding is highly visible in the American Declaration of Independence, because it declares that all humans are equal by birth, so they have an equal right to life, liberty and happiness. According to Freeman (2003), in the Bill of Rights, the set of amendments to the US constitution, these rights are justified, as they appeal to natural rights, grounded in the rights of God.

In the middle ages and, later, the renaissance, when the power of the church declined, society moved towards individualism, which led to a shift towards celebrating individuality.

In Positivist understanding, legislation became the main source of human rights. The famous writers, with regard to this, are Austin and Bentham. This view believes that human rights are not absolute. They have a legislative validity, which can be given, taken, modified as per need. According to Kinsella (1982), Jeremy Bentham sums up the essence of the positivist view as: Right is a child of law; from real laws come real rights, but from imaginary law, from "laws of nature," come imaginary rights….Natural right is simple nonsense.

This transfer of abstract to concrete is explained and presented by different documents that talked about these rights. The English Magna Carta of 1215 is important in this regard. The Magna Carta was protection against the irrational and irresponsible actions of the King. The Magna Carta was more associated with these protections; abolishment of seizing land and property, judicial decisions should be based on laws, no taxes can be imposed without the consultation of the common council. Thus, the Magna Carta developed the principle that the king is not absolute. The bill of rights (1689) is the converted version of the Magna Carta.

Another landmark in the history of human rights is the French Declaration of the Rights of Man (1789) Under the Declaration [The Declaration contains 17 Articles
defining various rights], rights of men and citizens include guarantee of equality [Article 1 provides that men are born and remain free and equal in rights. Social distinctions may be founded only upon the general good.], liberty [Article 4 provides that liberty consists in the freedom to do everything which injures no one else; hence, the exercise of the natural rights of each man has no limits, except those which assure to other members of society, the enjoyment of the same rights. These limits can only be determined by law.], free speech [Article 11 stated that the free communication of ideas and opinions was one of the most precious rights of man. Every citizen may, accordingly, speak, write, and print with freedom, but shall be responsible for such abuses of this freedom as shall be defined by law] and laid down that the law is the expression of the general will. [Every citizen has a right to participate personally, or through his representative. It must be the same for all, whether it protects or punishes. All citizens, being equal in the eyes of the law, are equally eligible for all dignities and for all public positions and occupations, according to their abilities, and without distinction, except that of their virtues and talents. (Article 6)]

These apart, there are various other documents (Virginia Declaration of 1776, The Constitution of the US of 1787, American Bill of Rights 1789, The Geneva Convention 1864) which reflect the ideas of human rights, which facilitate its development. From the beginning of the nineteenth century, many nations have started accepting the notion of human rights.

**The Period after World War and Human Rights**

On the international scene, there was no clear concept about human rights. Only relations among states were mentioned. Thus, an individual suffered problems. The people were at the mercy of the law of the state, as no international law was there to protect the rights of stateless persons, such as refugees. However, this theory had exceptions, such as the intervention of other States on humanitarian ground [The use of force by one or more States to stop the maltreatment by a State of its own nation was deemed to be lawful, when that conduct was so brutal and large scale as to shock the conscience of mankind], limitation of sovereignty by treaty [The State by entering into a treaty may internationalize a subject which would otherwise not be regulated by the international law] and a mandate system under the league of nations [The
Covenant of the League of Nations was formed in 1920. Article 22 established the mandates system by which the former colonies of the States, which had lost the 1st World War, were transformed into so-called mandates of the league and placed under the administration of various victorious powers.

It was after the second World War, when human rights strongly emerged. The kind of atrocities that happened, horrified the entire world. Countries (defeated) were punished, because they were found responsible for crime was against humanity and peace. Utilitarianism, scientific positivism and the philosophies that put natural rights aside, could not resolve the problem. After the war, human rights were introduced to international relations. Individual German soldiers were charged with crimes against humanity. The reaction towards the terror of the world war revived an understanding towards human rights and, thus, the history of human rights, entered a different regime of activism i.e. Normative foundation, Institution Building, Implementation and the Post Cold War Period. The Normative Foundation regime got its momentum from the concerns of World War II. After the world war, respect for human rights and fundamental liberty was promoted by the United Nations Charter. The UN, immediately, moved to articulate the international human rights standards and norms. Member states of the United Nations pledged to promote respect for human rights, for all. To advance this goal, the UN established a Commission on Human Rights and charged it with the task of drafting a document, spelling out the meaning of fundamental rights and freedoms proclaimed in the Charter. The Commission, guided by Eleanor Roosevelt’s forceful leadership, captured the world’s attention. On December 10, 1948, the Universal Declaration of Human Rights (UDHR) was adopted by the 56 members of the United Nations. The vote was unanimous, although eight nations chose to abstain. In 1948, the Assembly adopted the Universal Declaration of Human Rights.

The UDHR, generally considered as the international Magna Carta, claims that all rights are interdependent and indivisible. Its Preamble specifically asserts that:

“WHEREAS recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world…..”
According to Symonides, Jonusz (2005), UDHR has played a remarkable role and has been used by different nations, while writing their constitution. Although this declaration is not a legally binding document, it still achieved internal acceptance, because it talked about shared and common standards of living and respect for all human beings, across the world.

During that time, the League of Nations existed, but it was weak and lacked the power to deal with human rights issues and, therefore, it was expected that the UN Charter shall provide an effective, international system for the protection of human rights, but, this did not happen. Consequently, the human rights provisions of the Charter, as adopted in San Francisco, were weak and vague. However, despite the vagueness, the human rights provisions of the Charter had a number of important consequences, namely:

a) The Charter internationalized the concept of human rights, though all matters did not ipso facto come out of domestic jurisdiction
b) Secondly, the obligation of the member States of the UN, to cooperate with the organization in the promotion of human rights, provided the UN with the requisite legal authority to undertake a massive effort to define and codify these rights.

c) Further, the success of the UN effort is reflected with the adoption of the International Bill of Rights and in the vast number of international human rights instruments in existence today.

The 2nd stage in the evolution of the international human rights law began with Institution Building, in the late 1960s and continued for 15 to 20 years. This regime of activism was influenced by the newly independent states of the third world. There were some important conventions [International Convention on the Elimination of All Forms of Racial Discrimination (1965)] and covenants [International Covenant on Economic, Social and Cultural Rights (ICESCR)] and the International Covenant on Civil and Political Rights (ICCPR) (1966). The ICCPR focuses on such issues as the right to life, freedom of speech, religion, and voting. The ICESCR also focuses on issues regarding food, education, health, and shelter. Both covenants trumpet the extension of rights to all persons and prohibit discrimination. Together with the Declaration, the Covenants develop the essential base of International human rights norms Donnelly (1999).
Keeping the agenda for the promotion of UDHR, the UN Commission on Human Rights drafted two treaties: the International Covenant on Civil and Political Rights (ICCPR) and its optional protocol and the International Covenant on Economic, Social and Cultural Rights (ICESCR). Together with the Universal Declaration, they are referred to as the International Bill of Human Rights. In addition to the covenants in the International Bill of Human Rights, the United Nations has adopted more than 20 principal treaties, further, elaborating human rights. These include conventions to prevent and prohibit specific abuses such as torture and genocide and to protect especially vulnerable populations, such as refugees [Convention Relating to the Status of Refugees, 1951], women [Convention on the Elimination of All Forms of Discrimination against Women, 1979], and children[Convention on the Rights of the Child, 1989]. These documents have, powerfully, protested the demand for respect of human rights. Movements, across the world, reveal a similar commitment to these principles.

The third wave was regarding Implementation and the Post Cold War situation. In the twentieth century, continuous development was happening in the discussion of human rights and it remained polarized and political, even in the cold war period. The East-West were carrying different views and the same was with the South. The end of the Cold War was, also, the end of communism in many European nations and led to the process of democratic transformation. The Vienna Declaration, in 1993, represents the effect of the cold war [Read together, paragraphs 4 and 5 of the Declaration do away with two major impediments to the implementation of human rights, which prevented an effective international action in the past: the artificial distinctions between domestic and international human rights concern, on the one hand, and cultural relativism, on the other. The Declaration, also, addressed a third obstacle: the myth that all governments, whether democratic or not, can protect human rights and that a State’s form of government could not be deemed to affect its compliance with international human rights standard]. The Programme of Action was adopted at the World Conference on human rights, held in Vienna, in June, 1993.

According to Tondon (2003), the decline of the Cold War opens a new path for changing practices in the human rights field. Human rights have become, explicitly, more visible in the political scenario and activism has, also, become more visible in different organizations, at the national and international levels. The UN organizations
have become more active and started working together, for the combined goal of peace and human rights protection.

However, after the end of the Cold War, the international willingness to use the human rights language in international power politics has become larger. Even if this rhetoric hides the true intentions, it tells us something about the accepted values of our times. Now, the goal of the UN has become international peace, where this assurance exists that no one will be unjustly denied from life, freedom, food, shelter, and nationality. A new form of human rights emerged in the post war period, named as the collective and group rights. These rights protect and promote the cause of vulnerable groups namely: women, children, disabled, minorities and so on.

According to Schulz (2009), now Human rights are essential to the development of countries all over the world. Great emphasis has been placed on international conventions to maintain and protect human rights internationally. With the advent of globalization and the introduction of new technology, these principles gain importance, not only in protecting human beings from the ill-effects of change but, also, in ensuring that all are allowed a share of the benefits. Rapid changes taking place across the world, have both a negative and positive influence on human rights. The growth of technology and science has changed the world considerably and posed challenges towards human rights. Crime has become so easy, with the use of technology. Consequently, a proper regulation in practice is needed to maintain a balance between technology and its use. In the field of biotechnology and medicine, especially, there is a strong need for human rights to be absorbed into ethical codes and for all professionals to ensure, that basic human dignity, is protected under all circumstances. Education can play a very significant role, across the world, to develop a humane world.

But, it is, also, very significant to note that, today, violation of human rights is happening in all nations in one form or the other. Rights are being rejected even by established rule of law. Democracy has become only for lawyers and violation is at its peak for common men. Human rights are governed according to power equations. When different kinds of violence are happening without any attention, it increases the possibility of repeating violence. Only law and regulation will not help to develop and maintain a peaceful world. Personal self-ethics must be developed. Education has the
potential to develop such ethics, provided that education, itself, is based on a human rights perspective.

**Development of Human Rights: the Indian Perspective**

It is difficult to link human rights and the tradition of Indian history. The basic concept of Human Rights’ came into existence only after the Second World War. They focused on individuality. The concept of equality contributed greatly to the development of human rights. Though individualism as a theory is a modern idea, yet if we try to understand the concept of human rights, in the Indian tradition, we can only do a superficial enquiry. In this modern perspective, such an enquiry is not easy and, also, not possible. If we want to locate the element of the ideas of human rights, then we have to understand human rights deeply in the Indian context. Only, then, can we identify the formation of the factors of the nature of today’s human rights. In other words, the waves of individualism, universalism and equality cannot be traced or found in recent history, but the notion of humanism, concerned with the oppressed, respect of their liberty, acceptance of their dissent, respecting the dignity of everyone, nonviolence have always been present in our historical legacy.

There are two wings that talk about human rights in Indian history. One is very optimistic and says that there are lots of things and ideas available which can be appreciated with regard to human rights and the other argues that oppression, violence, caste based discrimination and inequality exists in the Indian legacy, in terms of human rights. They also argue that the Indian tradition did not have any soft corner for human rights (Chaudhary, S.N, 2005).

Thus, while it is good for us to understand the different elements, beliefs, structures of Indian history, we also need to remind ourselves that a kind of dialogue always existed in this regard, in these two wings.

The complexity of Indian culture, affords both optimistic and pessimistic approaches, towards human rights and this co-existence provides a base to the Indian, multi-colored culture. Indian culture carries both negative and positive aspects, as any
culture in the world does. But, to be critical towards both the aspects is essential and needed.

India, also, shares a similar history of human rights, as it reflects in our past, now and then. Though there was inequality and discrimination in the past, the entire history cannot be slammed. Some historians say that India has a 500 year old history of human rights and hope that a new India will arise full of tolerance, non-violence, tranquility, equality, human rights and freedom. Therefore, we need to give a rebirth to that India which can lead us to the new Indian civilization. Our history is full of unclear evidences, such as the history of any other society. This fact has been discussed by Romila Thapar, very significantly, in her book, ‘The Past and Prejudices’: the complete assumed history not only restricted the social process but, also, our understanding to understand our cultural identity (Yadav, 2009).

The concept of human rights is as old as the ancient concept of natural rights, based on natural law. The expression, “human rights”, is of recent origin, emanating from the international charters and conventions, especially in the Post Second World War. But, these rights had been recognized and respected by all religions in ancient India.

It could be found that the Rig Veda cites three rights as basic human rights, namely: body, dwelling place and life. The Rig Veda says, “truth is absolute and intellectual people interpret it differently and good thought come from all sides.” People working in the field of human rights start their enquiry from these two ideas (Gupta, Aman, 2005). The Mahabharata speaks about the importance of the freedom of individuals in a state. It, also, sanctions revolt against the king, who is oppressive and fails to perform his functions to protect. A lot of criticism exists in the above views. Vedic literature has some problems, because of the Brahmanic hegemony as neither did it represent, specifically, the lower caste community nor talked about it.

The Manu Sanghita talks about three notions of rights: Civil, Legal and Economic. Buddhism and Jainism, also, supported the concept of equality and non-violence and were against the caste system and discrimination and refused to believe that Brahmins were superior. Buddha dismissed the claim that Veda and Brahman could not commit mistakes, because without this, it was difficult to oppose the Upanishad and Brahmans. Almost parallel to Buddhism, another Non Sanskrit tradition, Jainism, was also active. Jainism talked about the sympathy for all creatures available on earth.
This religion not only talked about the rights of Dalits and other oppressed people, but it, also, talked about the rights of trees and animals. All living beings feel pain and happiness, so they are equal in terms of sensations. Jainism believes that anything against right to life is the biggest sin and violence. Jainism provides a great method of enquiry ‘syaadvaad’, which says no one can know the entire truth and there is always scope to know more and from different perspectives. This means they focus on respecting others’ perspective i.e. respecting others (Sharma, Arvind, 2004). Thus, the notion of human rights that we know and discuss these days, were part of Indian history years ago.

Here, we cannot forget to talk about the ‘Lokayat Darshan.’ It existed before Buddhism and believed that when all people were equal in body, mouth and all parts of the body, then why did ‘Varana’ and ‘Jaati’ discrimination exist? Such discriminations are non-scientific and cannot be proved right. This philosophy, also known as Charwak philosophy, talked about the inequality in the Indian system. Thus, they were concerned with human rights.

Muslim rulers even formulated rules for the protection of women and children, during the war. Emperor Akbar took certain measures for the protection of the rights of citizens.

Fundamental human rights, in India, in the sense of civil liberties with their modern attributes and overtones are, however, a development more or less parallel to the growth of the constitutional government and parliamentary institution from the time of British rule (Bashan, A.L., 1954). The recognition, protection and implementation of human rights, in the constitution of India, had its genesis in the forces that operated in the national struggle for independence, during the British rule. (Bajwa, 1997)

According to Kumar (2010), the British had introduced a system of governance, whose major concern was consolidation of power and strengthening their rule over the people. The semblance of the rule of law was limited. By now, many laws,, rules, regulations, manuals and so on, contained discriminatory provisions for people of the ruling race or Indians of higher or lower social status. The civil administration functioned under the principles of secrecy and distancing from the governed. The most visible and ubiquitous presence of the authority of British rule i.e. the police, was organized under the Police Act (1861), not as an impartial enforcement agency.
for protecting people’s rights (as the British Police of the time was organized), but as a subordinate body, under the political executive to carry out its policies and orders, under the strict command control system. The awakening among Indians and their demand for their rights and freedom, led to repressive draconian laws that derogated minimum safeguards. During our struggle for freedom we, thus, realized the value of freedom and dignity and equality under law.

When the constitution of India was being framed, the constituent assembly had before it the Bill of Rights, the Universal Declaration of Human Rights and the work on Covenants of Human Rights was in progress before the commission on Human Rights. India was a party to the UDHR, and, therefore, the constituent assembly shaped the Indian constitution in the light of this Declaration and the covenant on Human Rights, which were being drafted.

Naturally, therefore, in the constitution that was, finally, drafted and adopted, provision is to be found for a broad range of Fundamental Rights securing the rights of equality, liberty, fair trial, religion and, finally, the right to seek and obtain judicial remedies (Baradat, 2008).

The people can fully enjoy human rights, if and only if, there is a mechanism to protect their rights and defend them against any abuse of power. This calls for an independent judiciary and an efficient law enforcement agency, the police. The High Court and Supreme Court have, therefore, been empowered to protect these rights and to declare any executive action, or even legislation, invalid when found to contravene fundamental rights. What is more, unlike anywhere in the world, every person whether he is a citizen or not, has also been given the right to approach the highest court in the country, namely the Supreme Court of India, even in the first instance, if he could satisfy the court that his fundamental rights had been abridged or threatened (Boyle, 2009).

Thus, the basic unit of the constitution is the individual and it, therefore, declares certain fundamental fights to individual citizens of India, which are equally applicable to non-citizens.

The objective of the constitution has been to establish an egalitarian society, free from want and hunger, discrimination and exploitation, guaranteeing justice and liberty to
all, in an atmosphere conducive to their all-round development. To achieve these objectives, a pre-eminent position has been accorded to the chapter of fundamental rights, in part III, and directive principles of state policy, in part IV, of the Indian constitution.

The values of freedom and equality befitting the dignity of the human being, made more complete and substantive by ideals of economic and social justice, so eloquently proclaimed by the Preamble and elaborated in the Fundamental Rights and Directive Principles of the State Policy, constitute the foundational principal of the Indian Constitution (Gupta, 2009).

A fundamental right, as defined in the Constitution, differs form a non-fundamental right in one vital respect; a fundamental right (subject to the qualifications defined in the Constitution itself) is inviolable in the sense that no law, ordinance, custom usage or administrative order can bridge or take away a fundamental right. A law, which violates any of the fundamental rights, is void. They are binding on the Legislature, as well as the Executive. A fundamental right cannot be taken away, even by a constitutional amendment, if it forms the basic structure of the Constitution (Gupta, 2009).

Therefore, the Fundamental Rights guarantees certain rights to the individuals, whereas the Directive Principles of State Policy, gives directions to the State to provide some other rights to its people in specified matters. They, together, constitute the Constitution.

The following is a comparative study of rights, as guaranteed in the Indian Constitution, with those proclaimed in the Universal Declaration of Human Rights and other International Human Rights, the Directive Principles of State Policy, Indian Laws relating to human rights and the National Commissions.

To begin with, a comparative analysis has been provided between part III of the Indian Constitution i.e., the Fundamental Rights, and articles of Universal Declaration of Human Rights (UDHR) along with provisions of International Covenant on Civil and Political Rights.
The Fundamental Rights that are guaranteed under the Constitution have a close similarity with those in the UN Declaration of Human Rights in form and content in Articles 14, 15, 16, 19, 20, 21, 23, 25, 29, 31 and 32.

The UDHR Rights indicates two sets of rights- the traditional civil and political rights and the new economic and social rights. It is, generally, assumed that the framers of the Constitution, wisely, provided for most of the civil and political rights in Chapter III under Fundamental Rights, most of the economic and social rights have been put under Directive Principles of State Policy in Chapter IV (Padhi, 2007).

While the first set guarantees the rights and liberties of the individual against coercive and arbitrary State action, the second seeks to lay down certain economic and social goals for attainment, through a non-violent social revolution, which would fulfill the basic needs of the common man.

However, there is no water-tight compartment in the Indian Constitution between civil and political rights, on the one hand, and economic, social and cultural rights on the other, because even in Part III of the Constitution, one will find some social, economic and cultural rights have been given a place. Hence, the distinction between civil and political rights, juxtaposed to economic and social rights, should not be over-emphasized because, ultimately, the sum total of human rights, towards which one is striving, is a complex amalgam of various rights (Padhi, 2007).

Part III of the Constitution, which contains, perhaps, one of the most elaborate charters of human rights yet framed by any State, consistent with the unity of the nation and interests of the public at large, has been described as the “Very foundation and corner-stone of the democratic way of life ushered in this country by the Constitution.”

Described by Dr. S. Radhakrishnan ‘as a pledge to our people and a pact with the civilized world’, the fundamental rights are made binding on the State i.e., the executive, as well as the legislature.

The State cannot, as Justice P.N. Bhagwati elaborated, encroach on individual liberty in various dimensions, as fundamental rights reflect the basic values of the people of
our country and this ‘pattern of guarantees’, on the basic structure of human rights, is subject to ‘reasonable restrictions’, in the interest of society or the nation.

It is heartening to note that the Constitution of India contains all these rights as fundamental rights in Part iii and the rest can be found in Part iv.

When India enacted different pieces of legislation and initiated effective measures against the violators to protect and preserve the human rights of individuals, some NGOs, notably the Amnesty International, a UK based NGO, made a hue and cry against such legislation and measures.

Hence, in order to stop the canard and adverse criticism of these NGOs and the growing concern in the country and abroad about issues relating to human rights and the nature of crime and violence committed by persons, the Government of India has begun reviewing the efficacy of the existing laws, procedures and the system of the administration of justice.

**Emerging Concerns in Human Rights**

Human rights (and its associated concerns) have always been a topic of discussion in the whole world. Even though debates and talks on racial discrimination, caste based discrimination, gender bias, child rights, migrant rights are, increasingly, becoming common, the lack of coherent, explicit and clear legislation is felt by many. A question which appears here is where do these rights come from? There must be some history associated with them. In fact, they carry a long past, which will be discussed later.

Initially, let’s understand human rights as ethical demands, as stated by Amartya Sen (2004). He said they are not, principally, legal and proto-legal commands, even though human rights can (and often do) inspire legislation. This is a fact, rather than a constitutive characteristic of human rights.

Here, it is also important to know what kind of an assertion does the declaration of human rights make. These proclamations of human rights can be seen as articulation of ethical demands. According to Amartya Sen, they are, in this respect, comparable with pronouncements in utilitarian ethics, even though their respective, substantive contents are, obviously, very different. Like other ethical claims that demand
acceptance, there is an implicit presumption in making pronouncements on human rights that the underlying ethical claims will survive open and informed scrutiny (open to information as well as to arguments) coming from far, as well as near. It differs in two ways: first- from trying to justify the ethics of human rights, in terms of shared and already established universal values and second -from abdicating any claim of adherence to universal values in favour of a particular political conception, that is suitable to the contemporary world.

The Utilitarian mind-set looks at utilizing a person’s capabilities for decision-making. The sphere of human rights demands ethical status for human rights. They may or may not be reflected in a legal framework through, say, specific human rights legislation, but there are also other ways of implementing human rights, such as public recognition, agitation and monitoring. But, we need to see human rights in a more comprehensive way. The problem of human rights, in situations of mass poverty, is, thus, one of redistribution, access and needs. In other words, it is a problem of ‘development’, a process of planned social change, through a continuing exercise of public power. Upendra Baxi (2000), said as there is no assurance that public power will always, or even in most cases, be exercised in favour of the deprived and dispossessed, an important conception of development, itself, is accountable, by the wielders of public power, to the people affected by it and the people at large. Accountability is the medium, through which we can strike and maintain a balance between the governors and the governed.

In this perspective, the discussion of human rights becomes fused with a discussion of developmental processes. But, what is ‘development’? Development for whom? Development of what? Development through what? are the fundamental questions in front of development.

The contemporary perspective conceptualizes development as subsumed within the realm of human rights. Needs such as food, shelter, clothing, education share the awareness that the emphasis, on basic survival needs, may lead to a situation of conflict between human needs and human rights (bread vs. freedom).

Of course, a series of questions arise. Needs are sociogenic and culture-specific. Who determines what do men need? Who determines the hierarchy of needs? How best are these determinations made? Is there a conflict between human needs and human rights
and how best is it to be resolved? Are human rights to be treated as non-material needs to be satisfied and determined by technocratic conception of need satisfaction?

Many more questions like these exist and their number is countless. The basic idea will remain and that is the model of universal human rights, contradicts the idea that all human beings, without exception, have a right to be human.

According to Upender Baxi (2000), if only a handful enjoy human rights, and erect the general model of human rights as a way of making illegible, even the script of basic human need for the masses, we diminish the notion of humanity from human life.

An important reason that lies behind the failure and the general state of institutional decay and paralysis of will, which brings out the conceptual flaws in the human rights struggle, as it has developed in India. It is quite clear that the human rights struggle has entered a state of exhaustion. The struggle for human rights is against the state. State violence and state terror are increasing, the judiciary is proving to be insensitive to real suffering, the middle class opinion is strongly conditioned by the spectre of terrorism and the slogan of national unity is in danger.

Most of the human rights in India are violated due to overpopulation, which is not true. Though India is one of the nations which has the highest population, yet the main reason for inequality is the caste system and unequal distribution of resources. That is how concerns for human rights issues have moved beyond the usual civil liberties and have entered the arena of the multi-faceted struggles of the population, victimized by the current model of development and politics. In this light, Upendra Baxi said, “it has now become clear that in India, the present economic and political model has little to offer to the citizens”.

According to Upendra Baxi, there is a huge gap in the understanding of the state of India, with regard to survival and development. This survival vs development is related to rural and urban India. He argues that though inputs have, indeed been made in the rural economy, yet, they are designed only to make outputs available to the urban industry sector. The result has been a colonial type of exploitation by a small,
urban industrial elite. In this way, for the rural people, the problem is of survival, not of development.

The theory of human rights in India has a constitutional perspective. The Indian constitution has provided models for the enunciation of rights and apparatus for governance, to many a developing society. The theory of human rights has three features: first: fundamental rights, second: directive principles and third: other rights. Baxi (2000), in this regard, said that, in many respects, the fundamental rights in part III, emerge not just as a corpus of limitations on the power of the state, guaranteeing the state free spaces for the pursuit of an individual and collective life project but, also, as an onslaught on an intransigent attitude and behavior in society and culture. In other words, through article 17 (constitutional outlawry of untouchability) and article 23 (constitutional prescription of many forms and agricestic serfdom and traffic in human being), the constitution directly addresses and confronts the dominant formations in civil society. The Constitution is, distinctively, solicitous of the solidary rights of linguistic, cultural and religious minorities, as well as of the socially, educationally, and other backward classes.

According to Richard Falk, Hilal Elver and Lisa (2008), Human rights, like any kind of rights, are legal entitlements of a particular kind. Rights are not things that can be owned or given or lost. Rather, rights are practices that are required, prohibited or, otherwise, regulated, within the context of relationships governed by law. It can be said that Human rights are, by definition, international or global in scope, because they encompass human brings everywhere, at least, in principle. Human rights require rules and standards of international law that establish universal entitlements, as well as institutions capable and willing to interpret and enforce those laws and punish violators.

Another concern is the distinction between rights and morality. The distinction between morality and rights is the law: Rights are the product of laws, and laws are the product of people.

It is a common observation that human beings everywhere demand the realization of diverse values of capabilities, to ensure their individual and collective, well-being. It is a common observation that this demand is, often, painfully frustrated by social, as
well as natural forces, resulting in exploitation, oppression, persecution, and other forms of deprivation. Deeply rooted in these twin observations are the beginning of what are called today ‘Human Rights’ and the national and international legal processes that are associated with them.

There is a world-wide acceptance for the concept of human rights, though the opinions differ on its nature and scope, hence its definition. Ambiguities remain on certain issues, regarding human rights, such as, whether they are divine, moral or legal; whether they are validated by intuition, culture, custom, society, distributive justice or as a pre-requisite for a peaceful co-existence; about their revocability and irrevocability and about the relative liberty and the restrictions that the Rights have in resolving social issues.

Despite the lack of consensus, a number of widely accepted understandings can assist in the task of defining human rights. First, regardless of their ultimate origin or justification, human rights are understood to represent, both individual and group demands for political power, wealth, enlightenment, and other cherished values or capabilities, the most fundamental of which is respect and its constituent elements of reciprocal tolerance and mutual forbearance in the pursuit of all other such values or capabilities.

Second, human rights are, commonly, assumed to refer, in some vague sense, to “fundamental,” as distinct from “nonessential,” claims or “goods.” In fact, some theorists go so far as to limit human rights to a single core or two—for example, their right to life or the right to equal freedom of opportunity. The tendency is to emphasize “basic needs” and to rule out “mere wants”.

Third, reflecting varying environmental circumstances, differing worldviews, and inescapable interdependencies within and between different values or capability systems, human rights refer to a wide continuum of claims, ranging from the most justiciable to the most aspirational. Human rights partake of both the legal and the moral orders, sometimes indistinguishably. They are expressive of both the “is” and the “ought”—in human affairs.
Fourth, most assertions of human rights—arguably not all are qualified by the limitation that the rights of individuals or groups, in particular instances, are restricted as much as is necessary to secure the comparable rights of others and the aggregate common interest. Given this limitation, which connects rights to duties, human rights are, sometimes, designated prima facie rights, so that, ordinarily, it makes little or no sense to think or talk of them in absolute terms.

Finally, if a right is determined to be a human right, it is understood to be, quintessentially, general or universal in character, in some sense, equally possessed by all human beings everywhere, including, in certain instances, even the unborn. In stark contrast to the divine rights of kings and other such conceptions of privilege, human rights extend in theory to every person on earth, without discrimination, irrelevant to merit or need, but simply for being human.

All these understandings raise more questions than they answer. Granted that human rights qualify state power; do they, also, qualify private power? If so, when and how? What does it mean to say that a right is fundamental, and according to what standards of importance or urgency is it so judged? What is the value of embracing non-justiciable rights, as part of the jurisprudence of human rights? Does it harbor more than rhetorical significance? If so, how? When, and according to what criteria, does the right of one person or group of people give way to the right of another? What happens when individual and group rights collide? How are universal human rights determined? Are they a function of culture or ideology, or are they determined according to some transnational consensus of merit or value? If the latter, is the consensus regional or global? How, exactly, would such a consensus be ascertained, and how would it be reconciled with the right of nations and peoples to self-determination? Is the existence universal? Are human rights incompatible with the notion of national sovereignty? Should supranational norms, institutions, and procedures have the power to nullify local, regional and national laws on capital punishment, corporal punishment of children, honour killing, veil searing, female genital cutting, male circumcision, the claimed right to bear arms, and other practices? How would such a situation compare with western concepts of democracy and representative government?
Whatever the current attitude and policies of governments, the reality of popular demands for human rights, including both greater economic justice and greater political freedom, is beyond debate. A deepening and widening concern, for the promotion of protection of human rights on all fronts, hastened by the ideal of self-determination in a postcolonial era, is now, unmistakably, woven into the fabric of contemporary world affairs.

The next section of the conceptual framework presents the understanding about a human rights perspective in the curriculum, where different studies, researches and so on. have been presented, to develop a theoretical framework to understand the curriculum, its issues and its concerns. It, also, develops a framework to analyze the national curriculum framework, as this is one of the basic objectives of the present study.

II. A Human Rights Perspective in the Curriculum

My personal definition (Wilson, 1990) of curriculum is:

*Anything and everything that teaches a lesson, planned or otherwise. Humans are born to learning, thus the learned curriculum actually encompasses a combination of all of the below -- the hidden, null, written, political and societal etc.. Since students learn all the time through exposure and modeled behaviors, this means that they learn important social and emotional lessons from everyone who inhabits a school -- from the janitorial staff, the secretary, the cafeteria workers, their peers, as well as from the deportment, conduct and attitudes expressed and modeled by their teachers. Many educators are unaware of the strong lessons imparted to youth by these everyday contacts.*

A curriculum is, often, confused with a syllabus which is just a list of topics to be covered by an educational programme. A curriculum is a policy statement about a piece of education and tells us about the ways in which the policy can be realized. Thus, a curriculum should be thought of as a wide framework, about a programme of action. As a working definition of a curriculum, it could be said that it is the sum of all the activities, experiences and learning opportunities for which an institution (such as Society) or a teacher (such as a faculty member) takes responsibility – either
The idea of curriculum is, hardly, new - but the way we understand and theorize it has altered over the years - and there remains considerable dispute as to meaning. It has its origin in the running/chariot tracks of Greece. It was, literally, a course. In Latin, curriculum was a racing chariot; ‘currere’ was to run. A useful starting point for us here might be the definition offered by John Kerr and taken up by Vic Kelly (1999), in his standard work on the subject. Kerr defines curriculum as, ’All the learning which is planned and guided by the school, whether it is carried on in groups or individually, inside or outside the school. (quoted in Kelly 1983: 10; see also, Kelly 1999). This gives us some basis to move on - and for the moment all we need to do is highlight two of the key features:

- Learning is planned and guided. We have to specify, in advance, what we are seeking to achieve and how we are to go about it.
- The definition refers to schooling. We should recognize that our current appreciation of curriculum theory and practice emerged in the school and in relation to other schooling ideas, such as subject and lesson.

In what follows, we are going to look at four ways of approaching curriculum as a theory and practice:

1. Curriculum as a body of knowledge to be transmitted.
2. Curriculum as an attempt to achieve certain ends in students - product.
3. Curriculum as process.
4. Curriculum as praxis.
Curriculum as a Syllabus to be transmitted

Many people, still, equate a curriculum with a syllabus. Syllabus, naturally, originates from Greek. Basically, it means a concise statement or table of the heads of a discourse, the contents of a treatise, the subjects of a series of lectures. In the form that many of us will have been familiar with, it is connected with courses leading to examinations - teachers talk of the syllabus associated with, say, the CBSE exam. What we can see, in such documents, is a series of headings, with some additional notes, which set out the areas that may be examined.

A syllabus will not, generally, indicate the relative importance of its topics or the order in which they are to be studied. In some cases, as Curzon (1985), points out, those who compile a syllabus, tend to follow the traditional textbook approach of an 'order of contents', or a pattern prescribed by a 'logical' approach to the subject, or - consciously or unconsciously - the shape of a university course, in which they may have participated. Thus, an approach to curriculum theory and practice, which focuses on the syllabus, is only really concerned with content. Curriculum is a body of knowledge-content and/or subjects. Education, in this sense, is the process by which these are transmitted or 'delivered' to students, by the most effective methods that can be devised (Blenkin et al 1992).

When people consider the curriculum and the syllabus on an equal footing, they are misled in taking the curriculum, as merely the content of the textbooks, as prescribed in the syllabus. 'It is, also, because this view of curriculum has been adopted by many teachers in primary schools', Kelly (1985) claims, 'who have regarded the issues of curriculum as of no concern to them, since they have not regarded their task as being to transmit bodies of knowledge in this manner'.

The Curriculum as a Product

The dominant modes of describing and managing education are today couched in a productive form. Education is, most often, seen as a technical exercise. Objectives are set, a plan drawn up, then applied, and the outcomes (products) measured. It is a way of thinking about education that has grown in influence, in India, since the late 1970s, with the rise of vocationalism and the concern with competencies.
It is the work of two American writers, Franklin Bobbitt (1918; 1928) and Ralph W.
Tyler (1949), that dominates theory and practice, within this tradition. According to
Bobbitt (1928), the central theory of curriculum is simple. Human life, however
varied, consists in the performance of specific activities. Education that prepares for
life is one that prepares definitely and adequately for these specific activities.
However numerous and diverse they may be for any social class, they can be
discovered. This requires that one goes out into the world of affairs and discover the
particulars of what their affairs consist of. They will show the abilities, attitudes,
habits, appreciations and forms of knowledge that men need. These will be the
objectives of the curriculum. They will be numerous, definite and particularized. The
curriculum will, then, be that series of experiences, which children and the youth must
have, by way of obtaining those objectives.

The development of management thinking and practice has propagated this view of
the curriculum. R. W. Taylor advocated the rise of 'scientific thinking', whereby there
should be a division of labour, leading to a simplification of the jobs, extension of
managerial control over all elements of the workplace and cost accounting based on
systematic time-and-motion study. All three elements were involved in this
conception of curriculum theory and practice. For example, one of the attractions of
this approach to curriculum theory was that it involved detailed attention to what
people needed to know in order to work, live their lives and so on. **In other words,**
the curriculum was not to be the result of 'armchair speculation', but the
**product of systematic study.** Bobbitt's work and theory met with mixed responses.
One telling criticism that was made, and can continue to be made of such approaches,
is that there is no social vision or programme to guide the process of curriculum
construction. As it stands, it is a technical exercise.

The Progressive movement lost much of its momentum in the late 1940s and, from
that period, the work of Ralph W. Tyler, in particular, has made a lasting impression
on curriculum theories. He shared Bobbitt's emphasis on rationality and relative
simplicity. His theory was based on four fundamental questions, which seem to be
nearer to a Human Rights Perspective. What educational purposes should the school
seek to attain? What educational experiences can be provided, that are likely to attain
these purposes? How can these educational experiences be effectively organized?
How can we determine whether these purposes are being attained? (Tyler 1949)
Like Bobbitt, he also emphasized the behavioural perspective. The aim of education is to bring about significant changes in the students, rather than the activities of the instructor. Thus, the statement of the objectives should include the changes that are envisaged to occur in students. (Tyler, 1949)

We can see how these concerns translate into a nicely-ordered procedure: one that is very similar to technical or productive thinking steps. Step 1: Diagnosis of need. Step 2: Formulation of objectives. Step 3: Selection of content. Step 4: Organization of content. Step 5: Selection of learning experiences. Step 6: Organization of learning experiences. Step 7: Determination of what to evaluate and of the ways and means of doing it. (Taba 1962)

The attraction of this way of approaching curriculum theory is that it is systematic and has considerable organizing power. Central to the approach is the formulation of behavioural objectives - providing a clear notion of outcome, so that content and method may be organized and the results evaluated.

There are a number of issues with this approach to curriculum theory and practice. The first is that the plan or programme assumes great importance. For example, we might look at a more recent definition of curriculum as: ‘A programme of activities (by teachers and pupils) designed so that pupils will attain so far as possible certain educational and other schooling ends or objectives (Grundy 1987: 11). The problem here is that such programmes, inevitably, exist prior to and outside the learning experiences. This takes much away from learners. They are told what they must learn and how they will do it. The success or failure of both, the programme and the individual learners, is judged on the basis of whether pre-specified changes occur in the behaviour and person of the learner (the meeting of behavioural objectives). It can also deskill teachers in another way.

Second, this model is not based on measurability. It implies that behavior can be objectively and mechanically measured. Things need to be broken down into fragments, in order to measure, which may result in long lists of, often, trivial skills. This misguides the approach to consider the part, rather than the whole, on trivial aspects, rather than the significant areas.
Third, there is a real problem when we come to examine what teachers, actually, do in the classroom. Much of the research concerning teacher thinking and classroom interaction, and curriculum innovation, has pointed to the lack of impact on actual pedagogic practice of objectives (see Stenhouse 1975; and Cornbleth 1990, for example). One way of viewing this is that teachers simply get it wrong - they ought to work with objectives. I think we need to take this problem very seriously and not dismiss it in this way. The difficulties that teachers experience with objectives in the classroom may point to something inherently wrong with the approach - that it is not grounded in the study of educational exchanges. It is a model of curriculum theory and practice, largely imported from technological and industrial settings. There is less attention towards a Human Rights Perspective in the curriculum.

I believe there is a tendency, recurrent enough, to suggest that it may be endemic in approach, for academics in education to use the objectives model, as a stick with which to beat teachers. 'What are your objectives?' is more often asked in a tone of challenge, than one of interested and helpful enquiry. The demand for objectives is a demand for justification, rather than a description of ends. It is not about curriculum design, but, rather, an expression of irritation in the problems of accountability in education. (Stenhouse 1975)

**The Curriculum as a Process**

The curriculum, in fact, is just a set of documents to be implemented. As a product model, it depends on the setting of behavioural objectives. Thus, a curriculum is not some dead entity, it is, actually, the interaction of teachers, students and knowledge. Curriculum, essentially, is the activity, which happens in the classroom and how people prepare it and evaluate it. It is an active process, involving constant interaction and links with the practical form of reasoning, set out by Aristotle.

Perhaps, the two major things that set this apart from the model for informal education are first, the context in which the process occurs ('particular schooling situations'); and second, the fact that teachers enter the classroom, or any other formal educational setting, with a more fully worked-through idea of what is about to
happen. Here, it has been described as entering the situation with 'a proposal for action which sets out essential principles and features of the educational encounter'.

These words echo those of Lawrence Stenhouse (1975), who produced one of the best-known explorations of a process model of curriculum theory and practice. He defined curriculum tentatively: A curriculum is an attempt to communicate the essential principles and features of an educational proposal in such a form that it is open to critical scrutiny and capable of effective translation into practice. He suggests that a curriculum is rather like a recipe in cookery.

Stenhouse (1975), said that curriculum was not the process, but, rather, the means by which the experience of attempting to put an educational proposal into practice was made available. The reason why he did this, I suspect, is that, otherwise, there is a danger of widening the meaning of the term so much, that it embraces almost everything and, hence, means very little. He said on curriculum that, as a minimum, a curriculum should provide a basis for planning a course, studying it empirically and considering the grounds of its justification. It should offer planning, empirical study, in relation to justification. In planning the principles for the selection of the content - what is to be learned and taught, principles for the development of a teaching strategy, principles for making decisions about sequence and so on, are involved. In the empirical principle for the selection of the content: principles on which to study and evaluate the progress of teachers; guidance as to the feasibility of implementing the curriculum in varying school contexts; pupil contexts, environments and peer-group situations; Information about the variability of effects in differing contexts and on different pupils and an understanding of the causes of the variation, are involved. A formulation of the intention or aim of the curriculum, which is accessible to critical scrutiny, is part of justification.

There are a number of contrasts in this model of curriculum theory and practice, as compared with the product model. First, where the product model appeals to the workshop for a model, this process model looks to the world of experimentation. In this sense, a curriculum is a particular form of specification about the practice of teaching. It is not a package of materials or a syllabus of ground to be covered. It is a way of translating any educational idea into a hypothesis testable in practice. It
invites critical testing rather than acceptance' (Stenhouse 1975). Second, and associated with the above, given the uniqueness of each classroom setting, it means that any proposal, even at school level, needs to be tested, and verified by each teacher in his/her classroom (ibid: 143). It is not like a curriculum package, which is designed to be delivered, almost, anywhere. Third, outcomes are no longer the central and defining feature. Rather than tightly specifying behavioural objectives and methods in advance, what happens in this model of curriculum theory and practice is that content and means to develop as teachers and students, work together. Fourth, the learners, in this model, are not objects to be acted upon. They have a clear voice in the way that the sessions evolve. The focus is on interaction. This can mean that attention shifts from teaching to learning. Grundy (1987), tends to make the process of learning the central concern of the teacher. This is because this way of thinking emphasizes interpretation and meaning-making. As we have seen, each classroom and each exchange is different and has to be made sense of.

However, when we come to think about this way of approaching the curriculum in practice, a number of possible problems do arise. Problems for those who want some greater degree of uniformity in what is taught. This approach to the theory of curriculum, because it places meaning-making and thinking at its core and treats learners as subjects, rather than objects, can lead to very different means being employed in classrooms and a high degree of variety in content. As Stenhouse comments, the process model is, essentially, a critical model, not a marking model.

There is the 'problem' of teachers. The major weakness and, indeed, strength of the process model, is that it rests upon the quality of teachers. If they are not up to the mark, then there is no safety net in the form of prescribed curriculum materials. The approach is dependent upon the cultivation of wisdom and meaning-making in the classroom. If the teacher is not up to this, then there will be severe limitations on what can happen educationally. There have been some attempts to overcome this problem, by developing materials and curriculum packages, which focus more closely on the 'process of discovery' or 'problem-solving', but Grundy (1987), argues that in this form of curriculum, the actions have become the ends; the processes have become the product. Whether or not the students are able to apply the skills to make sense of the world around them, is, somehow, overlooked.
The Curriculum as Praxis

The curriculum as praxis is the basic tenet of the Process Model. The Process Model states the general principles and emphasizes judgment and making meaning, but it does not state the objectives it fulfills. It can be, purposefully, used in a way that does not refer to the collective human being and its emancipation. The Praxis Model, explicitly, argues for emancipation, thus making the action, not only well-informed but, also, well-practiced.

Critical pedagogy goes beyond situating the learning experience within the experience of the learner: it is a process which takes the experiences of both the learner and the teacher and, through dialogue and negotiation, recognizes them both as problematic... It allows, indeed encourages, students and teachers together to confront the real problems of their existence and relationships... When students confront the real problems of their existence they will soon also be faced with their own oppression. (Grundy 1987)

Thornton, (1997), said that teachers entered particular schooling and situations with a personal, but shared idea, of the good and a commitment to human emancipation, an ability to think critically -in-action, an understanding of their roles and the expectations others have of them, and a proposal for action, which sets out essential principles and features of the educational encounter.

Guided by these, they encourage conversations between, and with people, in the situation, out of which may come informed and committed action. They, continually, evaluate the process and perceive the outcomes.

In this approach, the curriculum, itself, develops through the dynamic interaction of action and reflection. 'That is, the curriculum is not simply a set of plans to be implemented, but, rather, is constituted through an active process in which planning, acting and evaluating are all reciprocally related and integrated into the process' (Grundy 1987). At its center is praxis: informed, committed action.

How might we recognize this? First, I think we should be looking for praxis which does not focus exclusively on individuals, but pays careful attention to collective understandings and practices and to structural questions. This collectivism gives it a
human rights based perspective. *Second*, we could be looking for a commitment expressed in action to the exploration of teachers' values and their practice. Are they, for example, able to say in a coherent way what they think makes for human well-being and link this with their practice? We could also be looking for certain values - especially an emphasis on human emancipation and human rights.

*Third*, we could expect practitioners, committed to praxis, to be exploring their practice with their peers, with due respect. They would be able to say how their actions, with respect to particular interventions, reflected their ideas about what makes for the good, and to say what theories were involved.

**Concluding**

To round off this discussion of the curriculum, we do need to pay further attention to the social context in which it has been created. One criticism, that has been made of the praxis model (Grundy, 1987), is that it does not place a strong enough emphasis upon context. This is a criticism that can, also, be laid at the door of the other approaches. In this respect, the work of Catherine Cornbleth (1990), is of some use. She sees curriculum, as a particular type of process. Curriculum, for her, is what, actually, happens in classrooms, that is, 'an ongoing social process comprised of the interactions of students, teachers, knowledge and milieu'. In contrast, Stenhouse defines curriculum as the attempt to describe what happens in classrooms, rather than what actually occurs. Cornbleth, further, contends that curriculum, as practice, cannot be understood adequately or changed substantially, without attention to its setting or context. Curriculum is contextually shaped.

By introducing the notion of milieu into the discussion of curriculum, she, again, draws attention to the impact of some factors that we have already noted. Of especial significance here are the examinations and the social relationships of the school - the nature of the teacher-student relationship, the organization of classes, streaming and so on. These elements are what are, sometimes, known as the hidden curriculum. This was a term credited to Philip W. Jackson (1968), but it had been presented as an acknowledged element in education for some time. For example, John Dewey (1938), in *Experience and Education* referred to the 'collateral learning' of attitudes that occur in schools, and that may well be of more long-range importance, than the explicit school curriculum. A fairly standard (product) definition of the 'hidden curriculum' is
given by Vic Kelly (1983). He argues it is those things which students learn, 'because of the way in which the work of the school is planned and organized, but which are not, in themselves, overtly included in the planning or even in the consciousness of those responsible for the school arrangements. The learning associated with the 'hidden curriculum' is, most often, treated in a negative way. It is learning that is smuggled in and serves the interests of the status quo. The emphasis on regimentation, on bells and time management, and on streaming are, sometimes, seen as preparing young people for the world of capitalist production. What we do need to recognize is that such 'hidden' learning is not totally negative and can be potentially liberating. 'In so far as they enable students to develop socially valued knowledge and skills... or to form their own peer groups and subcultures, they may contribute to personal and collective autonomy and to possible critique and challenge of existing norms and institutions' (Cornbleth 1990). What we also need to recognize is that by treating curriculum as a contextualized social process, the notion of hidden curriculum becomes, rather, redundant. If we need to stay in touch with the milieu as we build curriculum, then it is not hidden, but becomes a central part of our processes.

It is, also, important to note that, by paying attention to milieu, we can begin to get a better grasp of the impact of structural and socio-cultural process on teachers and students. As Cornbleth argues, economic and gender relations, for example, do not simply bypass the systemic or structural context of curriculum and enter directly into classroom practice. They are mediated by intervening layers of the education system (Cornbleth 1990). Thus, the impact of these factors may be quite different from what is expected.

If curriculum theory and practice are inextricably linked to milieu, then it becomes clear why there have been problems about introducing it into non-schooling contexts such as youth work; and it is to this area which we will, now, turn.

Besides the above understanding on curriculum, different kinds of curriculum exist, which provide different perspectives towards our understanding of curriculum, such as: overt, explicit curriculum, societal curriculum (see Cortes, 1981), hidden curriculum (Longstreet and Shane, 1993), null curriculum (Eisner, 1994), curriculum in use, received curriculum (Anglin, 1999)
In the further section, a brief account has been presented about what is a curriculum framework and how to critically understand and analyze the curriculum.

What is a Curriculum Framework?

A curriculum framework is an organized plan or set of standards or learning outcomes that defines the content to be learned in terms of clear, definable standards of what the student should know and be able to do.

A Curriculum Framework is part of an outcome-based education or standards based education reform design. The framework is the first step, defining clear, high standards, which will be achieved by all students. The curriculum is, then, aligned to the standards, and students are assessed against the standards. As compared with traditional education, which is concerned only about delivering content, a standards based education reform system promises that all will succeed, if all are held to high expectations. When the standards are reached, there will be no achievement gap where some groups are allowed to score lower than others, or the disabled are offered different opportunities than others. All will meet world class standards and will be qualified for good colleges and trained for good jobs, which pay good wages. In a traditional education system, the curriculum was defined by those who created textbooks, rather than government bodies which assembled groups of stakeholders to create standards, based on consensus of what students should know and be able to do. In India, we still follow that traditional system.

The Curriculum Framework sets out the 'knowledge, understandings, skills, values and attitudes that students are expected to acquire'. These requirements are described as a series of learning outcomes. The outcomes include overarching outcomes and learning area outcomes. The learning outcomes comprise the mandatory elements of the Curriculum Framework. To implement the Curriculum Framework, teachers and schools must ensure that the learning and teaching programs they design provide learning opportunities aimed at achieving the outcomes set out in the Curriculum Framework.
How to Critique or Analyze a Curriculum Framework?

How does one critique a curriculum framework? Assess its worth? Can an analysis of particular parts, considered independently from each other, do the job? Or do we need something more? If we want people to understand our critique, we need more than an analysis of parts alone; we must define the perspective in which our critique is made.

According to Oliva (1997), a good curriculum framework should be a system of most basic principles and assumptions, capable of providing a rational basis for curricular choices. Curricular choices are not limited to just what should be taught, but indicate choices regarding how to teach, under what conditions, by whom, with what teaching aids, how the evaluation should be carried out, and so on. In other words, the spectrum of choices which define what schools should be doing and how.

Several factors play a key role in all curricular decisions. These are cultural ideals, parents’ perceptions of the politico-economic scenario, their aspirations, and so on. As India is a multicultural society, having wide differences, it is very hard to select some principles, or assume some ideas, that would be acceptable to all. But, still, the need to formulate a framework exists. According to Foreman (1990), the very diversity in society adds urgency to the questions of equity, of multiple identities and of national identity. The most potent means of safeguarding equity, in a democratic society, is to make good quality education available to all. Any assessment of the quality of education requires criteria, which can be provided only by a good curriculum framework.

A Curriculum Framework is a necessary condition, but not an exhaustive condition. A Curriculum Framework, by itself, will not ensure equality. There is a dire need for a more acceptable Curriculum Framework that includes the diversities.

Griffin (1987), mentioned that the most basic principles will have to be dynamically evolved. They cannot be ‘unearthed’ and fixed for all times to come. They have to be constantly contested and reformulated. But, again, as the best available set of principles at a given time to make rational decisions, they do need to be respected. This ability to keep an open mind about a principle and, at the same time, respect it as a conviction, is fundamental to critical thinking, as well as democratic temperament.
A good curriculum framework would need to have qualities that evoke this kind of ‘critical appreciation’.

In school education, we are concerned with the development of understanding and capability for action. Understanding includes knowledge in all its forms, as well as values and sensitivity. The capacity for action involves skills of various kinds. One can safely say that the curricular decisions are either about the choice of knowledge, values and/or skills to be included in or excluded from the programme of education; alternatively they are about how to develop these abilities in children.

According to Rose (2000), a curriculum framework cannot attempt to provide a list of all the knowledge, values and skills to be imparted to or developed in children. There are several problems with this ‘list form’ of a curriculum framework. India is a plural society, with wide-ranging geographical and environmental variations. Therefore, the sheer demands of day-to-day life and the valued, cultural goods vary greatly. This leaves no hope that any list, however comprehensive, can meet the needs and aspirations of all people and communities in our society.

The idea to make a comprehensive list fails badly, as it would lead to addition of almost everything rendering the list futile, as it would become cumbersome and marked be self-contradiction. On the other hand, a small list will leave people disgruntled and they would feel that their freedom is being restrained. Therefore, a curriculum framework needs to delve deeper, than just putting some futile list of cultural and social goods.

We have to go one level beyond and look at the considerations that influence our choices of knowledge, values and skills for the school curricula. A choice is more than just picking up one of a given set of alternatives, without giving it any thought or just on the impulse of a whim. A genuine choice should be supported by some sort of reasons. The reasons we advance for making public choices are based on basic assumptions, that we hope are acceptable to our audience. The set of such basic assumptions, relevant to curricular choices, can be organised under four broad heads:

1) Assumptions concerning our understanding of human beings and society:

   Assumptions in this category answer questions such as: What is a human
being? What is the purpose of life, if any? How are society and humans related?

2) Our assumptions about the nature of human understanding and modes of human action: The assumptions in this category answer questions such as: What is knowledge? Where does it come from? How is it acquired? How can human knowledge be organized? What is a skill? What is the relationship between knowledge, skills, and action; between skill, work, and society?

3) Our understanding of human learning: This includes questions about what learning is, the place of learning in human life, how human beings learn, and under what conditions.

4) The context of the learner: This begins with the immediate socio-cultural and geographical situation of the child—the village. But, it does not end there and extends to the nation, the world, and to the entire universe.

It may be argued that knowledge or information about the last two is all that is needed to make curricular choices; all others are just created ideas and should play no role in curricular decisions. This view, if accepted, would reduce curriculum planning to an application of psychology. This view is fallacious because, every interpretation of socio-historical reality, is bound to have one or other set of assumptions about the nature of human beings and society. Psychology can, at best, inform us about what can and cannot be taught at a certain age and how best to teach. It cannot help in deciding what to teach and what not to teach.

There are some basic assumptions about these four categories, and whether or not we explicate them, our decisions about curricula and education draw upon these assumptions. The most fundamental disagreements arise out of differences in these basic assumptions. While other disagreements may be resolved through dialogue, the fundamental disagreements, which arise out of the core set of assumptions (beliefs, principles, convictions etc.) may not always be resolvable; at times, we may even have to live with them. Therefore, a curriculum framework, for education in a pluralistic society, should, first of all, clarify its stance on these basic assumptions.

As a human rights perspective is needed for curriculum development, the same is required in the teaching-learning processes. The best books written on a well-articulated curriculum can fail to achieve the purpose, unless pedagogical support exists. To understand a human rights perspective in pedagogy, it is essential to serve
the purpose for one of the objectives of the research i.e. to identify the pedagogical concerns of classroom practices in social science. The next section presents details about a human rights perspective in pedagogy.

III. A Human Rights Perspective in Pedagogy

It is always a challenge for a researcher to observe and how to observe, if observation is part of the data collection tools. To deal with this challenge very effectively, a theoretical framework for a human rights perspective based on pedagogy has been developed. This entire framework provides strength to the present research. This framework helps to understand the pedagogical aspect of human rights, which facilitated the classroom observations. This framework worked as a base for observing the classes in school. It, also, helped to develop researcher’s frame of mind before entering the classroom. Though the observations done in the research is not structured the framework helped to enter the class with a good understanding and perspective about human rights, about what to observe and how to observe. This framework has, also, helped the researcher to analyze the classroom observations, based on a human rights perspective.

We always perceive and understand human rights in terms or with relation to society. There are lots of studies and researches which talk about human rights provisions, violation and so on. We, also, have researches that have talked about the intervention of human rights in the curriculum, as has been discussed earlier in this chapter. But, there are hardly any studies that have talked about how we can include a human rights perspective in the teaching-learning processes. Therefore, it was very difficult to trace a theoretical framework in this regard. Still some work has been done indirectly and I had done a project concerning this, where the relationship between human rights and pedagogy has been established.

To put it simply, human rights education is all learning that develops knowledge, skills, and values of human rights. The United Nations Decade for Human Rights Education (1995-2004) has defined Human Rights Education as "training,
dissemination, and information efforts aimed at the building of a universal culture of human rights through the imparting of knowledge and skills and the molding of attitudes which are directed to: The strengthening of respect for human rights and fundamental freedoms; The full development of the human personality and the sense of its dignity; The promotion of understanding, respect, gender equality, and friendship among all nations, indigenous people and racial, national, ethnic, religious and linguistic groups; The enabling of all persons to participate effectively in a free society”

According to Andreopoulos, George, and Richard Pierre Claude (1996), it is very important to understand that human rights Education promotes democratic principles. It examines human rights issues without bias, and from diverse perspectives, through a variety of educational practices. It, also, helps to develop communication skills and informed critical thinking, essential to a democracy. It provides multicultural and historical perspectives on the universal struggle for justice and dignity. This perspective engages the heart, as well as the mind. It challenges the students to ask what human rights mean to them personally and encourages them to translate caring into informed, nonviolent action. It affirms the interdependence of the human family. It promotes understanding of the complex global forces that create abuses, as well as the ways in which abuses can be abolished and avoided.

**Understanding Human Rights in Pedagogy**

A human rights perspective in the teaching-learning-processes deals with, basically, three aspects: *about* human rights, *for* human rights and *how* to implement it in pedagogy.

Its goal is to help learners understand human rights, value human rights, and take responsibility for respecting, defending, and promoting human rights understanding. According to Bernstein Tarrow (1987), an important outcome of the human rights perspective in pedagogy is empowerment, a process through which the learner, at present, and people and communities, later, increase their control of their own lives and the decisions that affect them. The ultimate goal of a human rights perspective in
pedagogy is people working together to bring about human rights, justice, and dignity for all.

Bernstein Tarrow (1987), professes that human rights education will allow people to be humane and facilitate people in understanding the inherent dignity of all individuals and their rights. The basic principles of human rights include universality, indivisibility, and interdependence of human rights, increasing participation in decision-making and peaceful resolution of conflicts, respecting the various kinds of diversities (ethnic, regional, national and so on) and human rights violations such as torture, genocide, or violence against women.

Douglas Ray (1994), said that a human rights perspective based teaching-learning process helps learners feel the importance of human rights, internalize human rights and values, and integrate them into the way they live. These human rights, values and attitudes include "strengthening respect for human and fundamental freedoms" (UDHR Article 30.2) , nurturing respect for others, self-esteem, and hope; understanding the nature of human dignity and respecting the dignity of others; empathizing with those whose rights are violated and feeling a sense of solidarity with them; recognizing that the enjoyment of human rights, by all citizens, is a pre-condition to a just and humane society; perceiving the human rights dimension of civil, social, political, economic, and cultural issues and conflicts; valuing non-violence and believing that cooperation is better than conflict. A human rights perspective based teaching-learning process, also, gives learners a sense of responsibility for respecting and defending human rights and empowers them, through skills, to take appropriate action. These skills for action include – recognizing that human rights may be promoted and defended on an individual at collective, and institutional level-- developing critical understanding of life situations-- analyzing situations in moral terms-- realizing that unjust situations can be improved-- recognizing a personal and social stake in the defense of human rights-- analyzing factors that cause human rights violations-- knowing about and being able to use global, regional, national, and local human rights instruments and mechanisms for the protection of human rights-- strategizing appropriate responses to injustice—and acting to promote and defend human rights.
According to Graves, Norman (1984), including a human rights perspective in the teaching learning process will provide better opportunities to learners to understand the fundamental aspects associated with human rights: development, peace and democratization. It helps to understand that development is a comprehensive economic, social, cultural and political process, which aims at the constant improvement of the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of benefits, as international peace and security are essential elements for the realization of the right to development.

Starkey (1991), said that the existence of serious obstacles to development, as well as to the complete fulfillment of human beings and of peoples, constituted, inter alia, by the denial of civil, political, economic, social and cultural rights, and considering that all human rights and fundamental freedoms are indivisible and interdependent and that, in order to promote development, equal attention and urgent consideration should be given to the implementation, promotion and protection of civil, political, economic, social and cultural rights and that, accordingly, the promotion of respect for and enjoyment of certain human rights and fundamental freedoms cannot justify the denial of other human rights and fundamental freedoms. But, it is very challenging to see how to promote such understanding, with a human rights perspective based teaching- learning processes.

According to Barker (1992), a human rights perspective based teaching will help to understand that peace is not the absence of war or violence, but the presence of peace of mind and the true peace can come only from a peaceful mind.

Human Rights Education is "directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms". It promotes "understanding, tolerance and friendship among all nations, racial or religious groups" and, further," the activities of the United Nations for the maintenance of peace." (Article 26, Universal Declaration of Human Rights)
Human Rights Education as a Human Right and as Pedagogy

Students of law and international relations or political science may study human rights in a university setting, but most of the people receive no education, formally or informally, about human rights. Even human rights activists, usually, acquire their knowledge and skills by self-teaching and direct experience.

When we say, "I've got my rights," they, usually, think of those civil and political rights defined in the constitution, which include freedom to assemble, freedom of worship, and the right to a fair trial and so on. Few, however, realize that social, economic, and cultural rights such as health care, housing, or a living wage, are also human rights.

According to Reardon (1995), people who do not know their rights are more vulnerable to having them abused and, often, lack the language and conceptual framework to, effectively, advocate them. A growing consensus around the world recognizes education for and about human rights as essential. It can contribute to the building of free, just, and peaceful societies. Human rights education is, also, increasingly recognized as an effective strategy to prevent human rights abuses, and for this purpose a human rights perspective based pedagogy is essential.

According to Frankel (1989), integral to learning about one’s human rights, is learning about the responsibilities that accompany all rights. Just as human rights belong to both individuals and society as a whole, the responsibility to respect, defend, and promote human rights is both individual and collective. The Preamble of the UDHR, for example, calls not only on governments to promote human rights, but, also, on "every individual and every organ of society." Human rights education provides the knowledge and awareness needed to meet this responsibility.

Selby (1980), said that the responsibilities of all citizens in a democratic society are inseparable from the responsibility to promote human rights. To flourish, both democracy and human rights require people’s active participation. A human rights perspective based education includes learning the skills of advocacy – to speak and act every day in the name of human rights and, if pedagogy permits, to work with a human rights perspective.
According to Starkey (1991), it is essential to understand that human rights is not a subject that can be studied at a distance. Students should not just learn about the Universal Declaration, about racial injustice, or about homelessness without being challenged to think about what it means to them personally. Teachers must ask their students and themselves, "How does all this relate to the way we live our lives?" The answers to this question will tell us a great deal about how effectively we have taught our students.

No matter what the setting – whether a classroom, a senior citizens’ center, or a religious organization – these principles should be communicated, through every aspect of a good teaching-learning process based on a human rights perspective.

Smith (1988), favoured providing an open minded examination of human rights concerns, with opportunities for participants to arrive at positions different from those of the facilitator. It includes an international/global dimension to the human rights theme being examined, (e.g. how it manifests itself both at home and outside). It avoids excessive focus on human rights abuses. Emphasis should be on human rights as a positive value system. It must affirm the belief that the individual can make a difference and provide examples of individuals who have done so. It should include an action dimension that provides participants with opportunities to act on their beliefs and understanding. A facilitator is required to link every potential topic or issue to relevant articles of the universal declaration of human rights. He/she should make this connection explicit, rather than implicit, or assumed. There is a need to be responsive to concerns related to cultural diversity, content and learning process. Use of participatory methods for learning, such as role plays, discussion, debates, mock trials, games, and simulations are more effective, than simply lecturing. This will connect people’s lived experience directly, with the abstract concepts and legal documents.

This part of the framework is concerned with methodologies based on a human rights perspective, which are tied to various educational goals and objectives. According to Cassese (1990), professional literature, on educational program development, stresses that the first step in the planning of teaching and curricular activities requires the sorting out of ends, objectives and means. Some educational goals, bearing on human rights, can be derived directly from the international human rights instruments. Some
goals are driven by a framework of social needs (such as empowerment) and long
term projects (such as development and democracy programs). Methodologies should
be linked to (1) understanding the international human rights instruments --
essentially based on the right to know our rights; (2) curriculum planning, (3) efforts
to promote social empowerment; (4) responding to the goals of specific user groups;
and (5) program and participant evaluation. Of course, these five goals are necessarily
overlapping, but are distinguishable for purposes of presenting examples of discrete
methods used to attain the goals.

While goals reflect long-term programme purposes, educational objectives refer to
short-term, expected learning competencies designed for students and participants. In
this regard a human rights perspective based pedagogy may pursue many different
pedagogical objectives. These may include: (1) attitudinal changes (2) value
clarification (3) cognitive skills (4) the development of solidarity attitudes and, (5)
participatory education for empowerment

In addition to the diverse goals and objectives specified for pedagogy based on human
rights, the problem of describing and analyzing various methodologies is compounded
by virtue of the fact that the objectives and the means used to attain them, such as
those listed above, will differ in relation to the target group involved: grade school
children in primary schools; adults in a literacy program; peasant farmers involved in
subsistence agriculture; police and military units; government officials and
bureaucrats; health professionals involved in a program of continuing education, and
so on.

In this reference, we need to understand that education is not only a means to promote
human rights. In positing human rights to education, the framers of the Universal
Declaration relied on the notion that education is not value-neutral. Education always
relates to and supports values. But, we must be aware of what values we are
promoting through education. In this spirit, Article 26 states that one of the goals of
education should be "the strengthening of respect for human rights and fundamental
freedoms...." (Section 2) The human rights covenants (later developed by the U.N.
and coming into effect in 1976, to formalize the basis in international law of the rights
declared in 1948) elaborated on the right to education and values, such as education
should be promoted. Thus, the Covenant on Economic, Social and Cultural Rights
placed the educational objective of strengthening human rights in a cluster of related learning objectives. For example, Article 13 of the Covenant says that, "education shall be directed to the "full development of the human personality" and to the person's own "sense of dignity...."(Section 1). Thus, this objective can only be achieved, if our pedagogy is based on a human rights perspective.

Such education will enable all persons to participate effectively in a free society, promote understanding, tolerance and friendship among all nations and all racial, ethnic or religious groups, and further the activities of the United Nations, for the maintenance of peace." (Article 13, Section 1)

The negative prescriptions, of the Civil and Political Rights Covenant, complement the positive objectives of education. Everyone has, "the right to hold opinions without interference," the Covenant says in Article 19, Section 1. Since education is a process that shares and disseminates ideas, the enterprise is promoted by the International Covenant on Civil and Political Rights which sets forth the proposition that:

Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his (or her) choice (Article 19, Section 2).

According to Donnelly (1993), if we have a right to know our rights, then we must start by learning about applicable international norms. We do this in many ways and people learn about human rights, through many channels and in many places. Some distinctions are in order, regarding the format and locus of education, whether formal, non-formal, or informal. Formal education refers to normally, the three-tier structure of primary, secondary and higher education for which governments, generally, have the principle responsibility. Non-formal education is any organized, systematic educational activity, carried on outside the formal system, to offer selected types of learning to particular subgroups in the population, adults as well as children. Informal education may or may not be organized, and is, usually, unsystematic education, having its impact on the lifelong processes, by which every person acquires and accumulates knowledge, skills, attitudes and insights from daily experiences and exposure such as through meetings at marriages ceremonies, and getting information.
from radio, television and the print media. Typically, the government is responsible for formal education, NGOs for non-formal education, and the media for informal education. Of course, there are exceptions such as parochial formal education, NGO-sponsored informal education, and so on. Through all of these sources and educational formats, we get some of our understanding of human rights. Their benefits can be increased, if we can develop them on a human rights perspective.

So far, the work has been more associated with school education. Next, we will be talking about the role of the teacher in class, to make the entire process human rights perspective based.

**Some Guidelines for Facilitators/Teachers**

Hereafter, we will, often, refer to teachers as facilitators and students as participants. This terminology helps to emphasize that a human rights perspective based pedagogy requires a participative and dialogic approach.

What exactly can be suggested to teachers to make the teaching-learning-process human rights perspective based is not an easy task. According to Smith (1988), some general guidelines may be helpful and should be understood and followed by the teacher/facilitator to make their teaching learning a human rights perspective based process. A teacher needs to be clear in his/her role and get people to introduce themselves and try to make them feel relaxed. It is required to explain the subject matter and scope of the program and solicit the opinion of participants regarding their expectations. The teacher should introduce the subject of each exercise and solicit participants’ expectations. If the participants are looking for a response to pressing problems, the subject matter should be explicitly interconnected to local community needs. It is, also, good to elicit the related experience of the participants on the subject of each exercise. The teacher must explain, approximately, how much time they have and allocate sufficient time for discussion. He should see that everyone understands and introduces ideas and questions. He should not enforce his views and should be sure to give participants plenty of opportunities to talk of their own experiences. The teacher needs to be aware of his/her approach to the pupils in the group. For example, not picking on the same pupil all the time and asking him/her what he/she thinks. It is also important for a teacher to be firm with dominant students and say that they
should allow others a chance to speak. Giving people time to think and to explain what they mean, is essential.

For human rights pedagogy, there are many things which can be considered important in class and which may include:

**a) The Attitude of teachers**

<table>
<thead>
<tr>
<th>Authority</th>
<th>Democracy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Discrimination</td>
<td>Acknowledgment of everyone's rights</td>
</tr>
<tr>
<td>Intolerance</td>
<td>Respect</td>
</tr>
<tr>
<td>Lack of knowledge of students' opinions</td>
<td>Acknowledgment of the need for student participation in learning</td>
</tr>
<tr>
<td>Perception of students as being homogeneous</td>
<td>Recognition of individual differences</td>
</tr>
</tbody>
</table>

**b) The Relationship between students**

<table>
<thead>
<tr>
<th>Competition</th>
<th>Collaboration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Individualism</td>
<td>Solidarity</td>
</tr>
<tr>
<td>Frustration over individual failures</td>
<td>Satisfaction over group success</td>
</tr>
<tr>
<td>Feelings of rejection by one's peers</td>
<td>Feelings of acceptance by fellow students</td>
</tr>
</tbody>
</table>

**C) The Schooling Environment**

<table>
<thead>
<tr>
<th>Student permanently judged</th>
<th>Student valued for talents and recognition of limitations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women are discriminated in the tasks and responsibilities that are assigned to them</td>
<td>Women and men assume responsibilities that correspond with their interests</td>
</tr>
<tr>
<td>The student must always be the subject of decisions that are made for him/her</td>
<td>The student participates and makes decisions regarding himself/herself and his/her education</td>
</tr>
</tbody>
</table>

The above mentioned dilemmas constitute only a sample of the contradictory situations found daily in the classroom. There may be many more contradictory situations and these dilemmas have a huge impact on the students’ personality and thinking processes.
Non-formal education is used outside the school system by NGOs around the world, to assist people to develop knowledge and skills and to help them meet their basic needs. Such programs, often, have empowerment as their primary goal, but it may be blended with other objectives. Same ways and objectives can be included in school teaching. Among these ancillary purposes are those, whereby, the school may attempt to: enhance knowledge about human rights, e.g., knowledge about the range of constitutionally protected human rights, as well as present-day declarations, conventions and covenants; enable people to develop critical understanding of their life situation, e.g., questioning the barriers and structures which prevent the full enjoyment of their rights and freedoms; help in the process of value clarification, as thinking people reflect on such values as fairness, equality, and justice; bring about attitudinal changes, e.g., teaching tolerance among and between members of different ethnic and national groups; promote attitudes of solidarity, e.g., helping people to recognize the struggles of others, both at home and outside, as our fellow human beings; seek to meet their needs and respond to violations of human rights; effect behavioural change, bringing about action that reflects people's respect for one another, e.g., men behaving in non-abusive ways toward women, government officials behaving respectfully toward citizens by honoring everyone's human rights, and so on. If all, or various combinations of these objectives are met, the achievement would complement and help to promote the most important general goal of education, that is empowerment which is, often, the priority for a school concerned with the community organizing grassroots programs of self-help.

One of the basic and the most important objectives of a human rights based pedagogy is the empowerment of the learner. Empowerment is a process, through which people and/or communities increase their control or mastery of their own lives and the decisions that affect their lives.

According to Shiman (1988), pedagogy directed towards the goal of empowerment and seeking the objective of reinforcing political efficacy on the part of participants, has been, successfully, used in various less developed and developing countries, relying on the methods of the late Brazilian scholar, Paulo Freire: conscientization; dialogic teaching--discarding the role of teacher as "know it all"; emphasis on student participation in the defining of community needs; and reliance on the design of plans for collective action to promote social transformation and to demonstrate solidarity.
with those most in need. Perhaps, paradoxically, Freire, himself, avoided claims about the utility of his methods outside the cultural framework of Latin American peasant populations, in which he showed that significant advances in literacy skills were possible in the context of continual political-educational dialogue. In any event, Freire's techniques have been adapted for use as empowerment pedagogies in other Third World settings, most prominently in Asia, where human rights education for empowerment is linked to allied economic, political and legal development objectives.

**From the participants' point of view, a human rights perspective based pedagogy believes that** education for empowerment must go beyond the acquisition of knowledge and operate from the premise that, humans not only have the ability to know reality, but they, also, have the capacity for critical reflection and action. Therefore, education aimed at developing this capacity, must enable students to analyze the underlying structures of an issue, action or experience, to unveil and apprehend its causal relationships, and to discover the hidden motives or interests which it conceals.

**From the facilitator's point of view, empowering education supplies the means by which people deal critically and creatively with reality and discover how to participate in the transformation of their world. To take this goal seriously, facilitators of a human rights based perspective must use problem-posing techniques, whereby facilitators and participants are involved in a partnership of mutual cooperation and in which the role of the teacher as "know it all" is abandoned. The challenge for the facilitator is to accept an idea that is new to many. The idea is that the teacher/student dichotomy is dissolved in a learning group, in which all participate. Indeed, the teacher should not even be referred to as such, but should adopt the role of a facilitator, who helps participants do several things. According to Ty Reynaldo (1990), they develop the ability to analyze the causes of human rights violations and to connect their learning with action. They become empowered to undertake remedial actions. They become ready to learn more and acquire new skills, using the law and human rights as instruments of change, development and justice.

Pedagogy cannot be separated from evaluation. Thus, the evaluation of Human Rights Education cannot be considered an end in itself. Alternative options should be identified and decisions should be made to improve the programme which will assess
the consistency of the announced goals and suggestions be made to reduce any inconsistency. This procedure will critically highlight the spirit of Human Rights including cooperation, toleration and respect for diverse views.

Because evaluation is inherent in the teaching-learning process of a human rights based pedagogy, which includes a varied array of goals, as suggested by the list given earlier, it requires diverse methodological approaches. They could be both quantitative and qualitative.

Finally, we may say a human rights perspective based pedagogy should incorporate these principles at large: freedom from torture and cruelty, inhuman treatment or punishment, freedom from arbitrary executions, detention, and disappearance, freedom from genocide, ethnic cleansing; right to protection and assistance to displaced and refugee women, right to live by the rule of law, right to freedom from violence of all types, inside and outside the home, right to freedom from sexual or racial discrimination; right to equality between men and women and to full and equal partnership in the family and society, right to food, medical care and necessary social services, right to a standard of living, adequate for health and well-being, right to education; right of the child to an environment appropriate for his or her physical, mental, spiritual and moral well-being and development, right of all people to full and equal participation in decision-making and efforts aimed at the prevention and resolution of conflicts.

**Concluding:** A human rights perspective based pedagogy can be defined as education, training and information, aiming at building a universal culture of human rights, through the sharing of knowledge, imparting of skills and molding of attitudes directed to: strengthening of respect for human beings and fundamental freedoms, full development of the human personality and the sense of its dignity; promotion of understanding, tolerance, gender equality and friendship among all nations; indigenous people and racial, national, ethnic, religious and linguistic groups; enabling all persons to participate effectively in a free and democratic society governed by the rule of law, building and maintenance of peace; promotion of people-centered sustainable development and social justice; important strategy for achieving several principal goals, notably empowerment, participation, transparency, accountability; the prevention of conflict, conflict resolution, peacemaking and peace-building and the more effective protection and realization of all human rights for all;
understanding everybody’s common responsibility to make human rights a reality in each community and in society at large; long-term prevention of human rights abuses and violent conflicts, to the promotion of equality and sustainable development and the enhancement of people’s participation in decision-making processes, within the democratic system and to promote the values, beliefs and attitudes that encourage all individuals to uphold their own rights and those of others. It develops an understanding of everyone's common responsibility to make human rights a reality, in each community.

Practice does not only involve whatever happens in the class, it, also, includes what is happening with reference to Co-curricular Activities in school. As Co-curricular Activities have a very good potential to develop a human right perspective, they should be based on human rights understanding. The forthcoming section explains the concept of Co-curricular Activities, and its significance, with reference to a human rights perspective.

### IV. A Human Rights Perspective in Co-Curricular Activities

The all-round development of the child is a dynamic trend in the modern educational system. The school has, now, emerged as a place, where students acquire various competencies/skills. Effective schools follow a holistic approach to education i.e. an integrated development stressing on physical, mental, moral and social aspects. A lot of innovations are going on in the field of education. It has become “child centered”. A teacher inspires a child to know things himself/herself, through constructive activities. According to Hoolingworth and Kenneth (1991), the main function of the teacher is to help children develop their talents, abilities and capabilities. This education system encourages a child to acquire more knowledge. But, this type of education has not been adopted fully in India, in its true spirit. A holistic approach to education, at the secondary level, is a must, as it is the most important subsection of the whole education system. Such an approach will facilitate the all-round development of a child, by providing the right atmosphere for learners to develop and enrich their talent. Building self-concept, self-image, sense of enterprise and sportsmanship and so on should be part of the educational process. Therefore, the curriculum is designed, giving due emphasis to both scholastic and co-scholastic areas.
Even today, co-scholastic activities are not accorded due importance and are not a proper part of the school routine. The state authority issues no formal guidelines for monitoring and supervising these activities. Though a few schools have given a couple of time slots to these activities, no formal evaluation process exists to calculate the skills and abilities of a student in co-scholastic areas. Only art is evaluated through means of term examinations.

Co-curricular Activities is not a new concept. The National Policy on Education 1986, had given much emphasis to it, but it is not being practiced in its true spirit. In the teacher education curriculum, for both elementary and secondary stages of school education, the concept is dealt with, only, theoretically.

These activities were counted as a part of extra-curricular activities, in the traditional curriculum, as it was dominated by academic subjects. But, today, these activities are recognized as an indispensable and vital part of the curriculum and, also, make a student learn democratic behavior. These activities are helpful in the development of feelings of loyalty & cooperation. These activities form the importance of the curriculum & have immense educational value. Therefore, all those activities which are organized outside the class room, but are an important and essential part of the curriculum, are termed as Co-curricular Activities. Apart from scholastic activities, importance should be given to co-scholastic activities too, for the student’s development. Lack of proper planning, paucity of various facilities, lack of proper qualified staff, over emphasis on academic programmes, are some of the problems which need to be sorted out for ensuring success of these activities.

A valid question is how has the education system perceived co-curricular activities in the school system? Schools are committed to provide everyone a fair chance to participate in Co-curricular Activities. One of main goals of Co-curricular Activities in school should be to support human rights, by raising awareness and educating others about human rights and their abuses.

Gruher and Beatty (1954), defined co-curricular activities as a program or out-of-class and in class activity, supervised and/or financed by the school, which provides curriculum-related learning and character building experiences. Co-curricular activities are voluntary, but, relatively, important for all students.
They are activities which all school students must attend, alongside academics. Some believe extra activities for school students are a means to enhance social interaction, leadership, healthy recreation, self-discipline and self-confidence. At higher levels of education, the participation of Co-curricular Activities may even translate into academic points (Baxter Magolda, M. B. (2000). Before discussing the importance and need of co-curricular activities, let us be clear about the concept of co-curricular activities.

It can be said that, according to the modern education thinkers, curriculum is not only teaching and learning in the classroom. It, also, includes work in the library, laboratory and workshop, participation in games and sports in the playground and numerous informal contacts between teachers and pupils in these places. In these informal contacts there are many activities— one of which are the co-curricular activities. They are a part of the institution curriculum.

The first national curriculum framework, which was formulated in 1988, was designed to integrate human rights and democracy in education in all subjects, at all levels, of India’s educational system. It promotes India’s cultural heritage, egalitarianism, democracy and secularism, equality of the sexes, protection of the environment, removal of social barriers, and observance of the small family norm and inculcation of scientific methods. Not explicitly, but implicitly, it provides a healthy perspective of human right, and the use of Co-curricular Activities in schools. It has been emphasized that the educational system should play an aggressive role in removing obscurantisms, religious fanaticism, violence, superstition, fatalism, gender inequality and elimination of castes and all forms of discrimination. It, then, becomes very obvious that the activities, which will take place in school, will be based on the above understanding and so they become a part of a human rights based perspective. (www.distanceeducationju.in/.../B-A-Part-I(Education-B)-I-V-(L-1-13...)

Moreover, the co-curricular programs need to ensure that human rights and democratic education are being promoted in schools. In fact, the Co-curricular Activities should include guidelines where the contents of Co-curricular Activities must be free from the prejudices against any religion, community, ethnic and linguistic group or region. The observance of the Human Rights Day, the UN Day, field trips, organizing school parliaments, debates, essay and school competitions on
major historical events are but a few examples of co-curricular activities, to promote human rights and democratic education (Dev, 1995)

On the basis of the above understanding, Graves, Norman (1984) view can be accepted that the use of participatory, democratic and experiential strategies and methods have made the Co-curricular Activity concept interesting and exciting for the students. The democratic set-up of Co-curricular activities and the relationship among teachers and students has paved the way for the introduction of creative strategies, making human rights based Co-curricular Activities stimulating and invigorating.

According to Starkey (1991), education is aimed at the harmonious and all round development of personality. This development of personality is in terms of physical, mental, social, emotional, aesthetic &cultural dimensions. For the development of all these aspects of the personality of an individual, there is need to organise various activities in & out of the class room such as games, sports, athletics, singing, dancing, painting, hobbies and so on, to provide opportunities for self-expressions & ensure the wholesome development of personality.

After discussing about the concept, understanding and importance of Co-curricular Activities based on a human rights perspective, now it is important to know how many kinds of Co-curricular Activities, generally, are conducted in schools.

A school conducts lots of activities such as literary activities, physical development activities, aesthetic and cultural development activities, civic development activities, social welfare activities, excursion activities, leisure time activities, and so on every year, but their importance, perceptions of the students and the school’s motto behind them is unclear.

Further, we can, specifically, list these activities, in particular, which take place in schools in some way or the other, such as morning assembly programmes, inter-house activities, house meetings, recitation, calligraphy, on the spot drawing & painting competition, group singing, quiz competitions, moot (debatable) courts, guest talk / slide show, youth festivals. These activities are common to different schools. Though all schools do not do all the activities, yet they do most of them in some way or the other.
Importance of Co-Curricular Activities

Looking at the various types of activities, the question arises that how do these activities help us in achieving the objectives of education? Also, what is the need and importance of these activities? Let us first discuss the advantages. Co-curricular activities have a number of values such as educational value, psychological values, development of social values, development of civic values, physical development values, recreational values, cultural values and so on.

Cassese (1990), said that Co-curricular Activities have educational value. These activities have great "educational" potential. Most classroom teaching is theoretical. Practical knowledge can be imparted through co-curricular activities. Excursions and tours provide firsthand experience and reinforce classroom knowledge in subjects such as social sciences and even sciences.

Different schools need to be focused on various aspects of Co-curricular Activities as far as its importance and contribution is concern. Their understanding is being listed below:

- Co-curricular activities are a means of channelizing students' instinct into a healthy and fruitful channel (Best, 1990).

- Emotional Health can also be maintained through Co-curricular Activities. A student is a bundle of innate urges or drives. It is a recognition of individual differences that can be catered to, through Co-curricular Activities. Along with this development of Social Values, characteristics of Co-curricular Activities are inherent. (Flowers, 1998).

- Development of Civic Values is possible through Co-curricular Activities (Center for the Study of Human Rights, New York, 1992).

- The traits and qualities of leadership are developed in students, when they organize Co-curricular Activities by themselves, under the guidance of teachers. Students learn to plan, organize and execute the plan that has been developed. This develops in them initiative, planning, thinking and the power of independent judgment. Co-curricular Activities have Physical Development

- Cultural values can be imparted in learners and such opportunities can be given to them, through which they can learn to respect national legacy, which is available in various forms. (Martin Paul 1996).

- Co-curricular activities are really important, as they have a potential to develop the intellect of a student, which is not always possible with theoretical procedures. For this, co-curricular activities need to be effective so that they can give the right exposure to the mind. (Osler, Audrey and Hugh Starkey 1996)

- Co-curricular activities need to be more refined, varied and interesting, so as to be widely accepted and successful. A successful co-curriculum builds links between the school and the wider community, bringing local enthusiasts in to work with students, and sending students out to work on community projects. (Ray, Douglas 1994).

- In today’s highly competitive world, we have to bear a lot of mental stress and have to get involved in so many things, in order to acquire knowledge. This is where co-curricular activities play a very significant role. They help us get mental rest and help us stay physically fit and healthy. (Reardon, Betty A. 1995)

In brief, it can be said that Co-curricular Activities help to develop the all-round personality of the students to face undaunted tasks and the turbulent world of the future.

The Case Study of Peshawar District, in Pakistan, conducted by Ismat, Rakhsi, Saleem (2000), regarding the status of Co-curricular Activities in school, suggests the necessity of Co-curricular Activities for all kinds of schools, with appropriate infrastructure, time slots and trained facilitators. Efforts should be made to provide all activities suited to the choice or attitude of the student. All the students should be given equal opportunities to participate in such activities. The students should be
encouraged and motivated to participate in such activities because, as the conclusion shows, students taking part in co-curricular activities become social and yield a better academic performance.

On the same lines, according to Booth, Tony, and Ainslow (2000), selection of activities should be such that they are closely related to the curriculum. They should be educationally relevant. The selected activities should be constructive and should aim at the development of higher level objectives, which are not attainable through regular classroom teaching. There are lots of things which are necessary to be kept in mind such as, leadership, administration and supervision and regularity.

Educationists, psychologists and sociologists have all given great importance to these activities, as they help foster a child’s psychosomatic and social development. They foster creative ability and provide opportunities for expression. “Co-curricular activities as an integral part of a school programme lend themselves to enriching student’s learning and enlivening the school atmosphere” (Gorkhali, 1985:44).

According to Jochnick, Chris, and Garzon (2002), educationists say that co-curricular activities help children develop their personality. For psychologists, it sublimates their instincts and gives vent to their pent-up feelings, and sociologists maintain that it helps them, in the words of Dunhill (1961:34) “to act civically, to live as friendly neighbors and to develop a sense of responsibility through accepting responsibility.” Better achievement in extra-curricular activities not only gives satisfaction to the students, but it infuses a sense of pride in their school. This tone or school spirit should permeate every activity or pastime undertaken by the pupils of the school.

A study was conducted by the Center for Human rights, Geneva (1989), to examine the effects of extra-curricular activity participation on the academic achievement of high school students. Participants consisted of 123 high school students, who participated in interscholastic soccer, during the first quarter of the school year, but were not involved in any extracurricular activity during the second quarter. The results of the studies indicated that participants had a higher grade point average in the first quarter (i.e., during soccer season) than in the second quarter (outside soccer season) and the student attendance was, also, found higher, during the soccer season.
Marsh (2006), examined the effect of the total extra-curricular activities participation during the students' last two years in high school. Data on 10613 students, from the second follow-up of the sophomore high school, were examined for this study. This study found the total extra-curricular activity participation to be significantly related to 13 out of 22 outcome variable studies. The total extracurricular activity participation was, positively, correlated with global self-concept, academic self-concept, taking advanced aspirations, parental involvement, absenteeism, senior-year education aspirations, academic track, college attendance, parental aspirations and senior occupational aspirations. In general, the studies conducted on high school athletes showed, generally, positive effects on extracurricular involvement on academic achievement.

A child’s harmonious and holistic development is the aim of the modern education system. The school offers this opportunity by providing the necessary ground for developing a child’s personality. In fact, the quality of the schools depends on (and is evaluated upon) the educational experiences provided to the pupils. To fulfill these purposes, a variety of educative experiences should be provided in the school programmes, which may contribute to a child’s long, happy and normal life. These comprise curricular, extra-curricular as well as co-curricular educative experiences provided inside, as well as outside the classroom.

This entire framework provides strength to the present research. Observation of Co-curricular Activities and teacher interviews about curricular Activities is an important component of the research, as will be discussed in the next chapter. This frame work helps to understand the basic ideas of curricular activities taking place in school not only in India but, also, internationally. A developed understanding has helped to formulate the basics of data collection (observations and interviews) about curricular activities practice in schools. It, also, helped in the analysis of the collected data. Data has been analyzed thematically from the theoretical frame work developed in this chapter.
Conclusion

The entire conceptual framework can be summarized through some ideas and understanding, which are common across all sections of the conceptual framework. Human rights are universal and inalienable, the entitlement of all people everywhere in the world. An individual cannot, voluntarily, give them up, nor can others take them away. As stated in article 1, of the Universal Declaration of Human Rights, “All human beings are born free and equal in dignity and rights.”

Human rights are indivisible. Whether civil, cultural, economic, political or social, they are all inherent to the dignity of every person. Consequently, they all have equal status as rights and cannot be ranked in a hierarchy. The realization of one right often depends, wholly or in part, on the realization of others.

The inherent dignity and equality of individuals, as human beings, make them entitled to their rights. One needs to address the problems of discrimination and inequality from a human rights perspective. People’s rights need to be protected. A full scale research should be done of the population on various aspects such as sex, religion, language, disability to identify the marginalized groups. All decisions, laws, policies made to empower people should have some checks to prevent arbitrary use of power by the authorities.

Every person, and all people, are entitled to active, free and meaningful participation in contribution to and enjoyment of civil, economic, social, cultural and political development, through which human rights, and fundamental freedoms can be enjoyed. Empowerment is the process by which people’s capabilities to demand and use their human rights, grow. They are empowered to claim their rights, rather than simply wait for policies, legislation or the provision of services. Initiatives should be focused on building the capacities of individuals and communities to hold those responsible to account. The goal is to give people the power and capabilities to change their own lives, improve their own communities and influence their own destinies.

A human rights perspective seeks to raise the levels of accountability in the development process, by identifying ‘rights holders’ and corresponding ‘duty bearers’ and to enhance the capacities of those duty bearers to meet their obligations. These
include both positive obligations to protect, promote and fulfill human rights, as well as negative obligations to abstain from rights violations. In addition to governments, a wide range of other actors should, also, carry responsibilities for the realization of human rights, including individuals, local organizations and authorities, the private sector, the media, donors, development partners and international institutions. The international community carries obligations to provide effective cooperation in response to the shortages of resources and capacities in developing countries. Human rights promote democracy and social progress. Even where children have access to school, poor quality education can contribute to dissatisfaction. A human rights perspective to education, which emphasizes quality, can encourage the development of school environments, in which children know their views are valued. It includes a focus on respect for families and the values of the society in which they are living. It can, also, promote understanding of other cultures and people, contributing to an intercultural dialogue and respect for the richness of cultural and linguistic diversity, and the right to participate in cultural life. In this way, it can serve to strengthen social cohesion.

A human rights perspective to education is based on the principles of peace and non-violent conflict resolution. In achieving this goal, schools and communities must create learning environments that eliminate all forms of physical, sexual or humiliating punishment by teachers and challenge all forms of bullying and aggression among students. In other words, they must promote and build a culture of non-violent conflict resolution. The lessons children learn from school-based experiences, in this regard, can have far reaching consequences for the wider society.

A human rights perspective to education, that embodies human rights education, empowers children and other stakeholders and represents a major building block in efforts to achieve social transformation towards right-respecting societies and social justice.

Building an inclusive, participatory and an accountable education system can only serve educational needs. The failure to adapt to the children, especially to working children, is the reason behind drop-outs and repeated grades. The children, themselves, cite incidents of violence, abuse and discrimination, poor teaching, an irrelevant curriculum as the major factors in their inefficiency to learn. A human rights perspective to education can be, entirely, consistent with the broader agenda of
governments, to produce an economically viable workforce. Measures to promote universal access to education and overcome discrimination against girls, children with disabilities, working children, children in rural communities, and minority and indigenous children, will serve to widen the economic base of society, thus strengthening a country’s economic capability. By focusing on capacity-building and empowerment, a human rights perspective to education harnesses and develops the capacities of governments to fulfill their obligations and of individuals to claim their rights and entitlements.