



Inclusive education: A human right based approach

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Abstract

The concept of inclusive education was globally recognized in Salamanca statement and framework for action on special need education. The objective of inclusive education is to support education for all, with special emphasis on removing barriers to participation and learning of disadvantage groups including CWSN. Inclusive education is concerned with providing appropriate responses to the broad spectrum of learning needs informal and non-formal educational settings. United Nations Convention on Rights of Persons with Disabilities (UNCRPD) gave special emphasis on Inclusive Education. The convention aims to promote, protect and ensure full and equal enjoyment of all human rights and fundamental freedom by persons with disabilities and to promote respect of their inherent dignity. This paper lays emphasis on the development of the concept of inclusive education as human right based approach and how can we evolve a system of right based inclusive quality education.

Keywords: CWSN, inclusive education, persons with disabilities, UNCRPD

Introduction

Last three decades witnessed tremendous expansion in education of Children with Special Needs (CWSN). It is largely due to increased recognition of human rights. The Dakar framework for action adopted at the world education forum at Dakar, 2000, contains a clear statement reaffirming education as a fundamental human right and underlines the importance of right based government action in achieving education for all 'EFA, Goals'. As a responsible member of international community India responded and made 86th amendment in its constitution by introducing Article 21 (A) in 2002 to provide free and compulsory education to all children between the age group of 6 to 14 years as a fundamental right. Consequently legislation i.e. Right to Education (RTE) 2009 was envisaged which came into force on 1st April 2010. Therefore, at present our children including CWSN are the holders of right to get free and compulsory elementary education. Right to elementary education can be ensured to CWSN through inclusive education. Inclusive education is a system of education with an inherent capacity to accommodate diverse learning needs of all students including CWSN in their neighborhood schools.

The objective of inclusive education is to support education for all, with special emphasis on removing barriers to participation and learning of disadvantage groups including CWSN. The overall goal is a school where all children are participating and treated equally. It involves changes and modification in content, structures, and processes, policies and strategies. Inclusive education is concerned with providing appropriate responses to the broad spectrum of learning needs informal and non-formal educational settings. It transforms the system to bring marginalized learners into the main stream of education.

It is a result of a shift in paradigm that is from medical paradigm to social paradigm. In social paradigm disability is

not viewed as individual deficit but rather disability is considered to be an interaction between impairment and attitudinal and environmental barriers. Inclusive education is the best way of combating attitudinal barriers. Inclusive education is based upon following assumptions:

1. The original place to learn by CWSN, is in the regular classroom.
2. All children have right to learn and play together.
3. Denying opportunity to children to learn under the same roof is devaluing and discriminatory.
4. Exclusion is inhuman and indefensible.

The concept of inclusive education was globally recognized in Salamanca statement and framework for action on special need education. It recognizes that

1. Every child has a fundamental right to education.
2. Every child has unique characteristics, interests, abilities and learning needs.
3. Education system should be designed and educational programmes implemented to meet these diversities among children.
4. Students with special needs must have access to regular schools with adapted education.
5. Regular schools with an inclusive orientation are the most effective means of combating and preventing discriminative attitude and building up an inclusive society.

Inclusive education got its due place in Article-24 of United Nation Convention on Rights of Persons with Disabilities (UNCRPD) adopted by General Assembly of UN on 13th December 2006. It aims to promote, protect and ensure full and equal enjoyment of all human rights and fundamental freedom by persons with disabilities and to promote respect of their inherent dignity.

Article-3 sets out general principle which should guide implementation of all the articles including Article-24 on education of persons with disabilities. The principles are

1. Respect for inherent dignity.
2. Non discrimination.
3. Full and effective participation and full inclusion in the society.
4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity.
5. Equality of opportunities.
6. Accessibility.
7. Equality between man and woman.
8. Respect for evolving capacities of children with disabilities and rights of children with disabilities to preserve their identity.

As India ratified the convention, therefore, we are legally bound to operationalize all the principles of human rights enshrined in Article-3 of UNCRPD into various legislations, policies and programmes concerning inclusive education.

UNESCO manual for human right based education prescribes fourfold scheme which describes governmental obligations to rights based education:

- a) **Availability:** it means ensuring free and compulsory education for all children and parental freedom of choice to protect the interest of their children.
- b) **Accessibility:** it means to eliminate all kinds of discrimination.
- c) **Acceptability:** it refers to current focus on quality of education, which is concerned with process of teaching and learning.
- d) **Adaptability:** it means education should adapt itself to the best interest of each and every child.

The said scheme of human right based approach should be based upon following principles which can be summarized in a simple acronym 'Panel'

1. **Participation:** A right based approach requires a high degree of participation from the targeted beneficiaries including local communities, civil society, minorities, women and others. Participation must be active, free and meaningful. Mere formal or ceremonial consultation with beneficiaries is not sufficient.
2. **Accountability:** it focuses on raising the levels of accountability and transparency by identifying the rights holders and the corresponding 'duty bearers'. This should contribute to the enhancement of the capacities of 'duty bears. To meet their obligations to promote, protect and fulfillment of rights of the concerned target group.

It also provides the development of adequate laws, administrative procedures/practices and mechanism of redress and accountability that can respond to denial or violation of rights.

3. **Non-Discrimination:** the human right imperative of a right based approach means that particular focus is given to non-discrimination, equality and the status of vulnerable groups including CWSN.

4. **Empowerment:** A right base approach also gives preference to strategies for empowerment over mere service delivery oriented responses. It means the intervention should clearly contribute to the enhancement of the capacities of the rights holder to claim and exercise their rights. Empowerment is the process by which the capabilities of people to demand and use their rights are enhanced. It focuses on beneficiaries as the owners of the rights.

The advocates, civil society, community leaders and social workers can play an important role in empowering the disadvantaged. The goal of empowerment is to give people the power and capacity needed to change their own lives, improve their own communities and influence their own dynasty.

5. **Linkage to Human Right Standards:** A defining feature of a right based approach is its explicit linkage to human rights standards. Human right standards are universally accepted, set obligations and minimum guarantees. It also help to identify where problems exist and what capacities and functions are required to address them. These standards should be respected because these set clear limits on the possibilities for setbacks.

Although India adopted the principles of inclusive education in various legislations, policies and programmes concerning inclusive education, however, ground realities reveal a large gap between programme and practice. This gap can be reduced to a great extent if our educational programmes are more critically based on right based approach. We have already discussed the concept and principles of inclusive and right based education at length but now question arises that how can we evolve a system of right based inclusive quality education. Following strategies may be adopted to transform the education system to become more inclusive and right based:

1. **Policy Development:** have a clear definition in policy statement, and have references to international human rights standards.
2. **Curriculum Development:** Make learning meaningful, flexible, non-discriminatory and responsive to learner's need, and link contents to the learner's life situation.
3. **Teacher Education:** Support teaching and learning friendly environments, and promote child-centered teaching.
4. **Education information and Management System:** Improve data collection and database analysis using disaggregated data.
5. **Local Capacity building:** Build effective, transparent and accountable support mechanisms, and mobilize local resources.
6. **Community Involvement:** Create space for meaningful participation and mean for empowerment.

The advocates of right based education may not be satisfied with the present state of affairs but every society has its own momentum of evolution. I am sure that we are defiantly

moving towards a better tomorrow.

References

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