

The Girl Child : Education & Her Rights

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Abstract

Human rights are commonly understood as basic fundamental rights that a person cannot be denied by any individual or any government simply because he or she is a human being. They are universal and same for everyone. We all are equally entitled to our human rights without discrimination. These rights are all interrelated, guaranteed by law in the forms of international law, general principles and other sources of international law. International human rights law lays down obligations of government to act in certain ways or to refrain from certain acts in order to promote and protect human rights and fundamental freedoms of individual or groups.

Though India is a signatory to all the major human rights instruments and its constitution makes a commitment towards the promotion and protection of human rights, still when it comes to the rights concerning the girl child there is a vast difference between theory and practice.

The present paper throws some light on the human rights of the girl child. It also focuses the interrelation between Right to Education (RTE) and Human Rights (HR) of the girl child. The paper finally concludes that the only viable long lasting way to protect and promote her rights as a human-a girl child, is through their education and that too with a huge emphasis on Human Right Education (HRE).

Key words

Human rights, RTE, Discrimination

Introduction

The term 'Human Rights' denotes all rights that are present in our society and without which one cannot live as human being. Human rights are the basic rights that a person irrespective of race, gender or any other background cannot be denied anywhere or at any condition. We are all equally entitled to our human rights without discrimination. These rights are all interrelated, guaranteed by law in the forms of international law, general principles and other sources of international law. International human rights law lays down obligations of governments to act in certain ways or to refrain from certain acts, in order to promote and protect human rights and fundamental freedoms of individual or groups.

Though India is a signatory to all the major human rights instruments and its constitution makes a commitment towards the promotion and protection of human rights, still when it comes to the human rights concerning the girl child there is a vast difference between theory and practice.

The girl child in India is discriminated socially, psychologically, economically and in violation of laws. She is considered a transitory member of family and a burden as she is to be married off with huge dowry. She is not, if she is at all born and alive, sent to school or made to depart soon after joining at the slightest pretext, her rights always take a back seat in comparison to those of a son or male child who would be bread winner one day and heir of the family. She has to help in all household chores, fetch water, cook, bring fuel and fodder and look after the animals and siblings. If she goes to work to lend a helping hand to the family, she is paid less than boys. She is taken to hospital only in emergency and is given no immunization. Though the situation is fast changing, still a girl child's demands are met with reluctance and that too only after meeting the demands of the male child. The situation is still worse in rural, poor sections of the society where the very survival of the girl child is often at the stake.

Objectives

The following are the objectives of the paper:

- i) To throw light on the human rights of the girl child.
- ii) To emphasize the interrelation between Right to Education (RTE) and Human Rights (HR) of the girl child.
- iii) To highlight the role of Human Rights Education (HRE) in protecting and promoting the rights of the girl child.

I) The Rights of Girl Child

The Rights of the girl child include the following indivisible, interdependent and interrelated rights:

The Right to freedom from discrimination based on gender, age, race, color, language, religion, ethnicity or any other status or the status of the child's parents

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The girl child's discrimination begins even before her birth in the form of female feticide. There are many factors which contribute to discrimination based on gender, age, race etc. in case of the girl child. The most prime factor is social disinterest. The society in which the girl child is raised determines the availability of her rights. Sometimes it is the religion which restricts a girl child from enjoying her rights.

The Right to a standard of living adequate for a girl child's intellectual, physical, moral and spiritual development-

Girls are less privileged than boys to have a standard of living adequate for her intellectual, physical, moral and spiritual development. They are not offered the same opportunities as boys which hinder their overall personality development .As a result they lack confidence and develop inferiority complex.

The Right to the highest possible standard of health and to equal access to health care & the Right to equal access to food and nutrition-

Health is a vital resource without which effective living is impossible. Yet the greatest discrimination is visible in healthcare available to the girl child. This includes not only medical care but nutritional needs consonant with energy requirements. The existing discrimination against the girl child in her access to nutrition, physical and mental health services endangers her current and future health .This often results in malnutrition and other serious health issues which obstruct her physical as well as mental development.

The Right of the girl child to freedom from cultural practices, customs and traditions harmful to the child & the Right to freedom from early or forced marriage-

Culture and tradition play the role of biggest obstacle in the way of realization of the rights of the girl child. Many families consider that marriage is the ultimate

goal of a girl child's life. The cultural practices such as dowry system, early marriage, gender bias, preference for male child and so on just add to the woes of the girl child. The society or the family does not attach importance to the girl child because they are considered a liability rather than an asset. These practices severely curtail the educational and employment opportunities and are likely to have a long term adverse effect on the girl child's life.

The Right to education (Right to free and compulsory elementary education), to equal access to readily available forms of secondary and higher education, and to freedom from all types of discrimination at all levels of education-

Despite strong economic and social evidence of the high returns of the girl child education, most communities continue to underinvest in female child education relative to male child education. Even as the thresholds of schooling completion increase in primary education owing to the RTE , participation in secondary and higher education still remains an issue. Besides, the education of the girl child does not get the highest priority among the family's survival concern in the state of abject poverty. Even when education is free, there are many costs to attending a school. Added to this is the opportunity cost of sending them to school when they could be helping at home with household work or with family's income earning activities.

The Right to information about health, sexuality and reproduction

Girl child is at the risk of early marriage and thus early motherhood. Lack of education regarding health, hygiene and reproduction makes them victims of infectious diseases. It also raises the infant mortality rate as numerous children die needlessly because their mothers were denied education with respect to health, hygiene and population education earlier in life.

The Right to protection from all physical or mental abuse, the Right to protection from economic and sexual exploitation, prostitution and trafficking & the Right to a healthy and safe environment

Due to factors such as social pressures, lack of protective laws or failure to enforce laws, girls are more vulnerable to all kinds of violence particularly sexual violence, abuses, trafficking, prostitution, forced labor and so on. These crimes have a devastating effect on the life of the girl child. This simply snatches away the girl child's right to a healthy and safe environment.

The Rights to equal right to inheritance

In India son is considered as the heir of the family. Also it is unanimous thinking prevailed in our society that since the girl child is to be married off with huge dowry she has no rights to inheritance. Thus, even this right of the girl child is largely at stake.

The Rights to express an opinion about plans or decisions affecting the girl child's life.-

The girl child in our Indian society is supposed to have no say in any matter or decision even if the matter or decision is concerned with her own life. She is only the mute spectator leaving everything to destiny. Whether it is her education, career or marriage, her rights to express an opinion always take the backseat.

ii) Interrelation between RTE & HR of the girl child

A human rights based approach of education assures every child a quality education that respects and promotes her or her right to dignity and optimum development. The right to education is marked priority on the agenda of the international community since right to education is not only a human right in itself but also quite essential for the exercise of all other human rights. The right to education flows directly from the right to life. The right to life and dignity of an individual cannot be assured unless it is accompanied by the right to education.

If the most basic value is of survival and everything comes after that, the first right is the right to be born and not to be aborted purely because one is a girl. This right to survival is being snatched away (female feticide) with the help of modern science and technology in contravention to the existing laws that forbid any such activities. Women due to their ignorance of such laws and help available at hand in adverse circumstances suffer unspeakably because they are not educated and hence are unable to defend their unborn and fend for themselves in such circumstances. If a girl is born, despite all efforts to the contrary, the question comes of their right to remain alive and live with dignity and as an individual - a term not understood well in connection with female species. Hence we are concerned, directly with the right to education. This also implies the right to information about law, healthcare and opportunities in different fields of activity including the right to a career. Only when the right is protected one can expect to have a congenial atmosphere.

It is widely accepted that formal schooling between 6-11 years of age is vital for proper development of the child, when supplemented by mother at home. Hence,

education by formal and informal means can become a major tool for removing the bias against the girl child. It will usher in a new era for her country. She will become an asset and not a burden, if a girl child is educated.

Theoretically and formally all agree that educating a girl child is essential still their education does not get the highest priority among the family's survival concerns in the state of abject poverty. Even when education is free, there are many costs to attending a school. Added to this is the opportunity cost of sending girls to schools when they could be helping at home with household work or with family's income earning activities. This also explains the higher school dropout rate for girls when they are going up, since their opportunity cost for staying at school keeps increasing for their families.

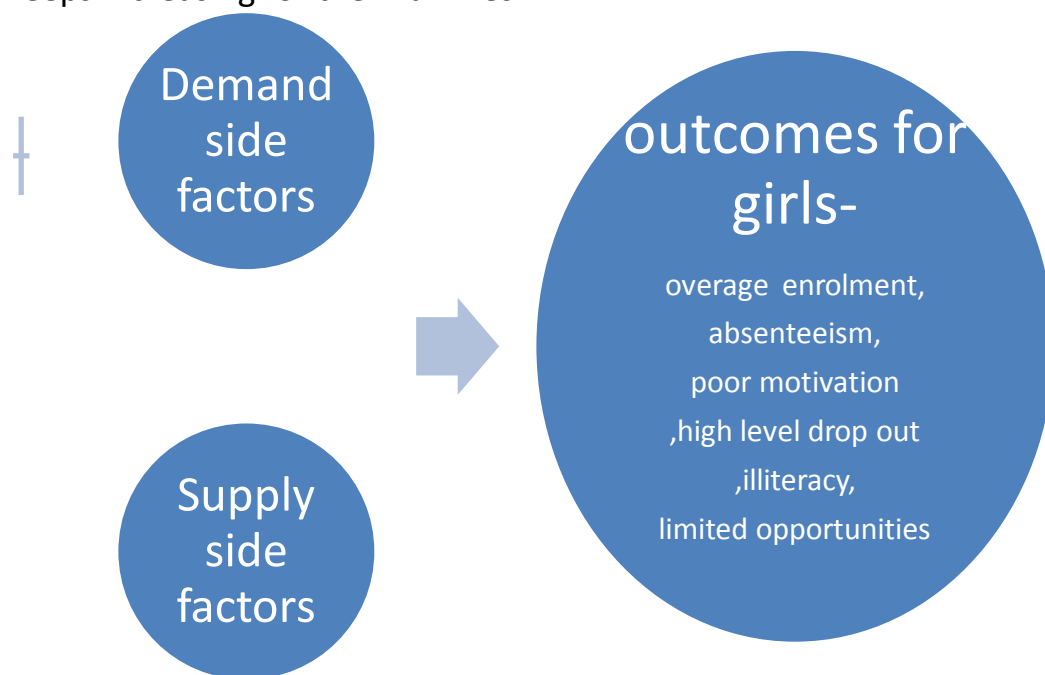


Fig 1- : showing effect of demand side and supply side factors on the girl child

The supply side factors such as lack of conveniently located schools, flexible hours, irrelevant curricular, non-availability of female teachers and absence of single sex schools play an even greater role in preventing girls from enrolling in schools. The location of a school is an important factor affecting parents's decision. Longer distance is often perceived as a threat to a daughter's security and might make the parents reluctant to send their daughters to school. The demand side factors include socio cultural and socio economic factors which also hinders the participation and continuation of the education of the girl child .So, all these factors will have to be accounted for while planning for girl education if we have to succeed.

iii) The Role of Human Rights Education in Protecting and Promoting the Rights of the Girl Child

The only viable long lasting way to protect human rights of the girl child is through educating them and that too with a big emphasis on HRE .HRE is considered as one of the major tools to stop the violations of the human rights. It equips girls to make more informed life decisions and improves their health, creating spillover effect for their families and throughout the society . The girl child can be empowered through recognition of rights which is possible only through right based education.

Human rights education includes a right based education with a view to empowering girls and advocates for issues related to gender and education .It has the following major implications for the girl child-

- Awareness of their rights increases self confidence in girls enabling increased participation in promoting rights at grassroots level and thus leading to systemic change.
- Raises aspirations for a life free of discriminations, economic and social exploitation and easier mainstreaming into society.
- Provides a perspective for reflecting on problems of basic education and primary health, eventually empowering them to demand and access rights.
- Allows dissemination of awareness and information on health and sexuality.
- Motivates community towards promotion of girls' education.

Conclusion

Survival and development of the girl child for which educating her is essential is not only the question of her survival only, it is the question of survival of the entire human race and should be looked upon as such. Moreover, when girl child will be properly educated, her mental faculties will be adequately developed. She will be able to realize her true self, contribute to the development of her children, family, society and nation simultaneously maintaining her dignity and true worth by standing up for demanding her own human rights, their protection and promotion in all field of activity.

Education enlightens and an enlighten women only can stand up for protection of her rights and for those of her fellow sisters who may be being deprived and

discriminated against due to various religious and socio-economic factors. By educating the girl child in human rights we set in a process of empowering women, who will be able not only to defend their rights and live with dignity but also to contribute to the development of entire society.

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