

# ROLE OF EDUCATION IN SOCIAL JUSTICE AND EQUITY

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## Abstract

*Education serves as a potent force in promoting fairness and equality within society. It bestows upon individuals and communities to attain resources, rights, and recognition that might otherwise elude them. Additionally, education lays a sturdy groundwork for future employment and livelihood, cultivating not just a sense of accountability but also equipping individuals to navigate life's hurdles by altering obstacles into opportunities. Consequently, education plays a pivotal role in fostering a more inclusive and democratic society that upholds human dignity. Its transformative power is instrumental in shaping a marvellous society. With the same aim and ideology, the Constitution of India, embodies substantial provisions striving at ensuring social justice and equity. However, the pertinent question remains: has India achieved the anticipated outcomes through education? This research papers attempts to illuminate the crucial role of education in securing social justice and equity while also identifying the challenges hindering progress in this regard in India. The paper also offers solution for value added role of education in the modern era for guaranteeing social justice and equity not merely in words but in true spirit.*

**Keywords:** Education, Social Justice, Equity, India.

## INTRODUCTION

Education persists as an epitome of optimism in the pursuit of securing social justice. It acts as a felicitator of transformation as well as the underpinning for evolution and evolvment towards development. It is witnessed around the globe that the countries victimized by inequalities and injustices, education has materialized the aspired goals. It has empowered individuals to grow in terms of their capacity, it has assisted in overcoming the oppressive structures, and has endeavoured to create a just and a more equitable society. Education rouses individual's ability to foster awareness, enhances critical thinking, and boosts collective action. In fact, education plays a significant role in delivering social justice and in bridging up the gap of inequalities to uphold the dignity of individuals in the society at large. Moreover, education serves as a medium to cultivate empowerment, enhance civilization, foster modern development and promote inclusiveness.

The educational progress all over the planet owes its credit to the deep historical events which have befallen in different countries at different times. The first recorded school in the world was an academy in Athens, Greece, which was founded by Plato in 387 BCE [1]. As per the archaeological records Nalanda, one of the most famous residential educational institute was established in 427 CE in India by Kumargupta from the Gupta Dynasty [2]. Similarly, the world's first University was established in Takshashila (now in Pakistan) in 700BC. This centre of learning was situated about 50 km west of Rawalpindi in Pakistan [3]. The Vayu Purana traces the beginning of Takshila to Taksha, son of Bharata and is also mentioned in Mahabharata, citing Dhaumya as one of the Acharyas [4]. There are several mentions of this University in the Buddhist Jataka Tales [5]. Thus, education has existed since ancient Greece, ancient Rome, ancient India and ancient China. Over the years during the evolution of human civilization, education has undergone drastic changes and has acquired a prominent place in the contemporary era.

Educational reforms across the globe have accelerated to uplift the social justice. However, despite the various advancements it is unfortunate that education has still not accomplished the desired aspiration even in the 21<sup>st</sup> century. The question whether education has served a transformative role in relation to the social order differs in diverse situations. Undoubtedly, education has played a pivotal role but yet the lightening fire of education still needs to be spread across the nations instantaneously with human values. Education need not be simply making individual literate and capable of earning but it should enable to provide a dignified life to every individual. According to John Dewey, an eminent philosopher and educational reformer, "[e]ducation is not preparation for life; education is life itself" [6]. Similarly, father of our nation, Mahatma Gandhi always strived for improvements in educational excellence [7]. Today, if one surfs the internet the graph of literacy in each country will show upsurge. However, as the world is progressing in terms of technological developments, it is immensely important to imbibe education with human values in order to have social justice. A person possessing several degrees lacking scientific temperament and sense of social solidarity, is not really educated but is simply a literate. This modern phase is experiencing increase in number of people being educated, but the concern is if the same serves towards gaining social justice and equality in the society. To strengthen the role of education Constitutions of many countries including the Indian Constitution present a transformative vision of governance

and embody right to education as an imperative indication of realizing that vision. And in accordance to this the Constitution of India has elevated the status of education by incorporating right to education as a fundamental right in India [8].

### **Education: A Fundamental and Human Right:**

The Preamble of the Indian Constitution, exemplifies the magnitude of various fundamental rights enshrined in the Constitution. In fact, Justice Sikri, had aptly observed, that “...the Preamble of our *Constitution* is of extreme importance and the *Constitution* should be read and interpreted in the light of the grand and noble vision expressed in the Preamble.” [9]. Justice, Liberty, Equality and fraternity are the four pillars enshrined in the Preamble on which the *Constitution* firmly rests. The Preamble of the *Indian Constitution* envisions an egalitarian social order to integrate all the people of India with equality of status, dignity of person and fraternity as a united India and providing them socio-economic justice, equality of opportunity and status and dignity of person [10]. It is needless to say that the importance of human rights is embodied in Part III of the Constitution; each Fundamental Right has the essence of justice, liberty, equality and fraternity. The proof of existence of a right is held to depend, not upon *a priori* conceptions of justice, but upon such practical considerations as the consequences that may be anticipated to follow from recognition of right [11]. Constitutions containing the rights of man are the foundations of the rule of law in modern societies. The most fundamental is the idea of human rights as presuppositions of a human life worth living, in whatever minimal sense. Article 21 of the Indian Constitution is based on the idea of human rights which guarantees to every person the “right to life and personal liberty” as a Fundamental Right. The cumulative result is that every person in the Indian society has the human right to lead a dignified and indiscriminate life. The approach of the Indian judiciary is highly appreciated for its path breaking judgments which have protected and guaranteed a dignified life ensuring every individual the right to fearless and meaningful life [12]. The freedoms enshrined in the Constitution in the Chapter of Fundamental Rights and the Directive Principles of State policy, cover the freedoms enunciated in the international human rights documents. All these rights act to achieve the goal of respect for individuals, economic prosperity, elimination of poverty, promotion of national policies and to enjoy their human rights enabling them to lead a life with human dignity. Thus human rights focus not only on protection and promotion of rights but also the welfare of the society at large. The simplistic aim of promoting the greatest good of the greatest number now becomes the aim of creation of a complex socio-economic and political structure which serves the basic community needs and protects the rights and freedoms of individuals who form a part of that community [13]. Based on the wide judicial interpretation of Article 21 from time to time, has led to the explicit declaration of right to education as a fundamental right, pronounced through the historic judgment in *Mohini Jain v. State of Karnataka* [14]. It was held that right to education flows directly from right to life and liberty under Article 21 of the Constitution [15]. Moreover, considering the widest interpretation of personal liberty as laid down in *Maneka Gandhi v. Union of India*, [16] denial of right to education violates not only of Article 21 but also Article 14 [17] and 19 of the Constitution [18]. The stalwart interrelation between these three fundamental rights in form of a golden triangle accentuates the status of right to education. It has been established beyond doubt that right to education is concomitant to the fundamental rights enshrined under Part III of the Constitution. Thereafter, in *Unni Krishnan v. State of Andhra Pradesh*, [19] the Supreme Court partly overruled the decision in *Mohini's* case, but upheld the right to free education for children between ages 6 to 14 years. Similarly, the importance of education was emphasised in *T. M. A. Pai Foundation v. State of Karnataka*, [20] as the most powerful tool for the upliftment and progress of the society [21]. In view of such strapping pedestal, after almost a decade, right to education was added as an independent fundamental right under Article 21 A [22]. Article 21 A provides that “[t]he State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner as the State may, by law, determine.” Apart from fundamental rights, Constitution imposes a duty on the State under Article 45 [23] to provide free and compulsory education. In fact, providing education is also a duty of the parents and guardians under Article 51 A (k) [24] of the Constitution. In addition to these provisions, a few more Articles highlight the importance of education, such as, Article 29 (1) and 30 (1), Article 39 (f), Article 41, Article 46, [25-28] etc. It can be averred that obligation towards child education should be a gesture and munificence rather than a binding principle [29].

In tune with the Constitutional provisions, the Indian Parliament enacted the *Right of Children to Free and Compulsory Education, Act, 2009*, which is looked upon as a major step towards eradicating illiteracy from India. The Act makes it mandatory for all private schools to enrol children from weaker sections and disadvantaged communities in their incoming class to the extent of 25% of their enrolment, by simple random selection [30]. Besides the Constitutional provisions and the law, right to education is a basic human right enshrined in plethora of international Declarations and Conventions [31].

However, the pertinent question which arises is, after having such a strong legal foundation for education, has India achieved hundred per cent literacy? Unfortunately, the answer to this question is not positive. The largest democracy in the world is still struggling to secure hundred per cent literacy in India. Coupled with education, is the need of human rights value based education to experience a just society. The increasing acceptability of the concept of inalienable human rights demonstrates the evolution of humanity. The big moral appeal of human rights has been used for a variety of purposes, from resisting torture, arbitrary incarceration and racial

discrimination to demanding an end to hunger and starvation, gender inequality and to medical neglect across the globe [32]. Worldwide human rights are protected under the umbrella of various international instruments, such as, the *Universal Declaration of Human Rights*, *International Covenant on Civil and Political Rights*, *The International Covenant on Economic, Social and Cultural Rights*, *Convention on the Elimination of All Forms of Discrimination against Women*, *Convention on Elimination of Racism and Allied Practices*, *Convention on the Rights of Child*, etc. Moreover, human rights are based on the concept of providing justice to every human being. Emperor Justinian has opined that “[j]ustice is the constant and perpetual wish to render to everyone his due” [33]. Thus, human rights education is step in furtherance of securing social justice and equity.

### **Education and Social Justice:**

Let us understand the interrelation of education and social justice. The best example to deliberate upon, is the emancipation of women in India. India being a patriarchal male dominated society, sadly has a chequered history of subjugation of women’s rights from the medieval period. Though in the ancient era it is recorded that women were given equal rights, had access to *Gurukul* for education and were also taught warrior skills, apart from being respected in the society [34]. However, due to the external invasion by several aggressors, women’s rights were posed with a serious threat. With the Persian, Greek, Dutch, Afghans, Mughals, etc., [35] invading and ruling India, the threads of Indian cultural fabric were totally destroyed tearing the women’s position in the society poles apart from its original existence. Over the time, women were restricted in all walks of life resulting in extreme discrimination and inequality. After a few centuries, a girl child was looked upon as a curse in the Indian society. Due to this hatred towards girl child the female ratio had drastically dropped as compared to male ratio a few years back [36]. However, presently, India is witnessing the social justice and equity with the increase of female ratio as per the recent census [37]. Thus, it can be averred that, education has changed the thought process to a certain extent. Nonetheless, Lack of education, widens the gap of equity making people insensitive towards women. And this attitude has resulted in numerous crimes against women. Acts such as harassing a married woman for dowry, making her a victim of domestic violence, sexual assaults, rape, etc., are the common crimes against women. As per the statistics, it is observed that a huge number of accused are either illiterate or school drop outs [38]. Thus, it is observed that education decreases the criminal mentality and makes a person prudent to understand the consequences of his/her act.

Even if one analyses the role of women in the society, it has undergone tremendous changes, reflecting the power of education in gaining social justice. Women have now occupied prominent positions in the society, proudly we have a woman President heading the largest democracy of the world. [39]. In fact, the hallmark of social justice and equity echoes with a few landmark judgments of the Hon’ble Supreme Court, such as the Sabrimala judgement [40]. Needless to say that education is not just a degree but it is a gateway to achieve social justice.

Another glaring example of role of education in social justice is the freedom of children from child labour. Ironically, India hosted the maximum child labour population in India a few decades back. Nonetheless, education has played a vital role in pulling down the child labour figures in India. The child labour number was a huge as 12666377 in the year 2001 which has dropped down to 4353247 in 2011 as per the statistics of Government of India, Ministry of Labour and Employment. [41]. Thus, in a decade the child labour in India has reduced by 20%. However, there is need to totally eradicate the menace of child labour and education can play the role effectively. Numerous laws have been enacted from time to time to free the children from the misery of child labour but India [42]. still needs a long way to go for having complete zero child labour situation in the country.

There are several, examples to demonstrate that education has facilitated cause of justice in the country. The augmentation of agriculture, the employment rate, the progressive economy, the transforming industries, the information technology revolution, the modernizing medical sector, etc., all these continuing advances are based on the foundation of education. Overall, development of the society indeed is in furtherance of social justice and securing equity in the society at large. Though a lot has been achieved with help of educational reforms, yet there are challenges ahead.

### **Challenges to the Role of Education:**

A country like India, which is emerging as a superpower in the world lacks social and political will to combat illiteracy. It is evident from the present statistics that a lot has been done yet much more needs to be done for hundred per cent literacy in India [43]. Illiteracy is a multifaceted problem which requires multidimensional remedy. Poverty is a root cause and the strongest barrier in securing education for all in India. Likewise, lack of awareness is also a major impediment even in the present century. Several other problems which persist in the society, such as, child labour, caste and class differences, add to the misery. The various international and national legal provisions are highly equipped to protect and guarantee the right to education however; emphasis should be on the appropriate implementation of these provisions. It has been perceived that though schools are set up, the education system lacks in resources, infrastructure, qualified teachers, etc. Such practical complexities result in increasing the number of drop out children from schools across the nation.

On the other hand, it is a matter of pride that universities all over the world are expanding their branches in India. Apart from this, a few Indian universities are acknowledged as reputed globally [44]. It can be said that

higher education is rapidly gaining importance but if the children are not provided with quality education at the primary level, the future generations enrolling for higher education will lack in producing qualitatively educated citizens in India. Education should not aim only to gain the higher percent of literacy resulting in half-baked knowledge but it should enrich the children with immense information which can empower individuals with tremendous intellect [45]. In fact, education should not only be practical but also pragmatic and progressive [46]. Thus, the present laws and policies are inconsistently implemented in India. To overcome this incongruity and secure the Millennium Development Goal of universal primary education not only the government but also the society has to be proactive.

There is immense need to curb the population of India, education can create awareness amongst people regarding population control in India. It is not out of the place to mention that around 17% of the world's population resides in India making it one of the most populous countries in the world presently [47]. It can be averred that formulating a mandatory "National Policy Prohibiting more than Two children per couple" to secure socio-economic justice in the country is obligatory to uphold the spirit of social justice and rule of law in India. India is the first country in the world to adopt family planning programme which was launched in the year 1952 [48]. But lack of education and awareness, has distanced India from controlling the explosive growth of population. Employment opportunities are directly dependent on education. However, regrettably India has not proved successful in protecting and guaranteeing the right to education. The Education for All Global Monitoring Report (GMR) released by the UNESCO states that India currently has the largest population of illiterate adults in the world with 287 million [49]. Education can certainly play a role in controlling the population which is required to secure social justice. The gigantic population results in a huge gap of rich and poor, may be education can bridge up the gap. The humungous population results in exploitation of natural resources, excessive pollution harming the environment, cut throat competition in employment and many more. All such barriers lower the possibility of securing social justice and equity in a country.

Likewise, the male dominated approach too poses serious challenge, though as compared to 1950, India has come a long way, but still, we have miles to go. With the help of education, the society can certainly be free from the evil of discrimination and inequity.

## CONCLUSION

Thus, education will substantiate its significance only if it is supported by the social and political will in execution. In this era of privatization and globalization India has established itself as an outstanding exemplar in numerous sectors. And for achieving the status of a developed nation, education is the only pedestal which sets the foundation for combating the cut throat competition in the contemporary epoch nationally and internationally. The lacunae's in the present educational system and the challenges for implementation of right to education should be conquered at the earliest by the government and the society collectively. The strict implementation of laws will accomplish the utmost expansion of right to education to enhance the eminence and stratum of Indian education system upholding the human dignity of millions of children across the nation.

The extremely well blended set of laws should not remain only in theory but it has to be practically implemented in the society. It is we the people of this country and the policy makers who can improve the present scenario by promoting and practicing social justice through education which will shape the future of India and make India a better place to live.

## RECOMMENDATIONS

India, the land of 'Vedas' and the largest democracy in the world has achieved a lot in the past seven decades after independence. Moreover, considering the remarkable progress of India in diverse sectors it cannot be denied that India will reach the required parameters in the field of education in the forthcoming years. The first and foremost prerequisite is to provide free and compulsory education across the nation with appropriate infrastructure, experienced and proficient teachers, and proper curriculum. Special attention should be towards regular attendance of students to avoid drop out attitude. It is not sufficient only to enrol students on record, but is equally important to maintain regular attendance in schools, especially in rural areas, where the dropout rate is more. There should be transport facilities easily available for school children if the habitation is far away from the school. Girls should be encouraged to attend schools without any discrimination. Child labour should be totally eradicated, so that children will be free to attend schools. Poverty should not be allowed to form a stumbling block for right to education. Although the government provides books, uniforms and mid-day meals, it is significant to analyse whether it reaches the masses. It is also indispensable to organize awareness camps accentuating the importance of right to education not only in urban areas but also in rural areas. NGO's should also shoulder the responsibility of spreading awareness about education. Parents should be educated about the paramount inevitability of education for their children as the best means to live a dignified life.



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