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THE PARADOX AND PROMISE OF CHILDREN'S RIGHTS IN INDIAN SCHOOLS

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The 1989 United Nations Convention on the Rights of the Child and the recent 2009 Right to Education Act in India outline the basic rights of children, with an emphasis on access to schooling in the latter. These documents emphasise protection in all its forms, and adults – namely, parents and teachers – are presented as the main agents of protection. This chapter explores how teachers in Indian government schools – assumed to be representatives of the state and responsible for ensuring the well-being of students – regularly violate children's rights in myriad ways. Schooling in India today is seen by many marginalised children and their families as the sole mechanism for social mobility. Even so, it often instead becomes a site for rights violations, ranging from caste and gender discrimination, corruption, negligence and violence. Educational interventions seeking to interrupt these practices have suggested possible ways ahead for scholars, activists and educators concerned with ensuring that the rights of all children are promoted in postcolonial India.

In order to further elucidate the promise and peril of schooling for Indian children in government schools, this chapter is organised into three sections. First, I provide an overview of the development of educational rights in India, with particular emphasis on recent gains, such as the Right to Education Act (2009). Second, I discuss the shift in international literature towards looking at 'push out' as opposed to 'drop out' factors since many (not all) teachers who are supposed agents of child protection instead routinely participate, or are complicit in, injustices occurring in their schools against children despite policy provisions that outlaw such practices. Third, I will discuss curricular and pedagogical innovations, such as the introduction of human rights education at the upper primary levels in government schools or the establishment of safe educational spaces by

non-governmental organisations (NGOs), both of which offer examples of programmes that might be scaled up for the greater protection and promotion of children's rights.

The information and perspectives contained in this chapter come from my engagement as a scholar and practitioner in the fields of international development, human rights and comparative education for the past fifteen years. Specific data that include children's experiences and NGO-run initiatives come from a cumulative 14 months of fieldwork carried out from 2008 to 2012 that examined the nexus between human rights and education in India at the levels of policy, pedagogy and practice. The primary methods utilised for data collection were interviews, focus groups, observations, document review and visits to more than 90 schools in seven Indian states, including Andhra Pradesh, Assam, Gujarat, Karnataka, Orissa, Tamil Nadu and West Bengal. Respondents included over 700 children between the ages of 12 and 21, approximately 125 teachers of all education levels and nearly 100 activists, scholars and government officials in local, state and national roles relating to education and/or human rights.¹

At the outset of this chapter, it is also useful to situate the data and analyses presented subsequently within global debates around children's rights. While critiques have been levelled about the lack of cultural specificity in the universalising discourses of 'children's rights' (Hartas 117; Kendall 366), this chapter adheres to the principles – namely, non-discrimination, dignity, protection from harm and children's right to participation – that undergird the spirit of establishing policies specifically concerning children's welfare. The landscape of locally relevant children's rights activism and advocacy has become vibrant in India with the establishment of the National Commission for the Protection of Child Rights (NCPCR) through an act of parliament in 2005; the encouragement for states to institute counterpart commissions; and the aforementioned 2009 Right to Education Act, which contains many guidelines and legally binding guarantees for children's access to quality schooling and equitable conditions therein (Sinha). Thus, while some still critique the relevance of children's rights discourses and laws in India today, rights-based approaches to access, quality, equity and accountability permeate the policy terrain as well as the monitoring bodies charged with ensuring compliance concerning school education.

Indian education: from human capital to human rights

Education has figured prominently in discussions of growth, progress and national development since India's independence in 1947, as influenced by Mahatma Gandhi's vision for schooling in a sovereign India. The first

prime minister, Jawaharlal Nehru, was faced with a largely illiterate populace: only 16.7 per cent of all Indians, including 7.9 per cent of women, could read or write basic texts at the time. As such, he promoted education significantly, resulting in massive school construction, village enrolment drives, free basic education for children and the development of vocational education and literacy campaigns for adults. Inspired by the belief that an educated citizenry would drive economic growth, national cohesion and self-reliance, Nehru's emphasis on primary, secondary, tertiary and adult education resonated with global discourses of schooling as an integral factor in human capital development (Becker).

In the 1970s, a constitutional amendment made education a 'concurrent' responsibility of the states and the central or national government. Since then, there have been increasing amounts of resources allocated towards school education, childhood nutrition and related priorities in and around schools. In 1974, India adopted a 'National Policy for Children', which later provided for the establishment of the Department of Women and Child Development within the Ministry of Human Resource Development that coordinated a variety of pre- and post-natal, as well as early childhood nutrition, schemes. Some states in India had been providing 'mid-day meals' to children at schools since the 1960s, although the nationwide adoption of the programme commenced only after a landmark 2001 Supreme Court decision that provided a legal entitlement to the right to food in primary schools (Asia-Pacific Human Rights Network).

The right to education was referenced globally in United Nations documents as early as 1948 and was initially discussed as a basic human right in international meetings and conferences in the 1990s and 2000s, which complemented the extensive framework for child protection offered in the 1989 International Convention on the Rights of the Child. In India, subsequent to the development of a National Plan of Action for Children, building on previous policies related to childhood nutrition and education, the Government of India ratified the United Nations Convention on the Rights of the Child at the end of 1992.

Drawing on the international agreement around children's rights and the need to accomplish universal primary enrolment, notably the consensus achieved in the Millennium Development Goals and Education for all conferences (1990 and 2000), India's domestic *Sarva Shiksha Abhiyan* programme, first announced in 2000, has sought to eradicate all obstacles to primary school access (Iyengar 2). Significant activities under this campaign have included teacher training, district resource centres, free materials and supplies to marginalised children, construction of new classrooms, and in some states, the recruitment of para-professional teachers (UN Educational, Scientific and Cultural Org., 'Para Teachers' 8). In 2010, the

Right to Education (RTE) Act came into force, shifting education from a non-binding 'directive principle' to an enforceable 'fundamental right' in Indian constitutional law. RTE provided all children aged 6 to 14 years the right to a free and compulsory education in a school within one to three kilometres of their home. In 2012, the Supreme Court upheld the provision of RTE related to ensuring access to private schools for children from low-income backgrounds, although many institutions are seeking exception to this rule.

Despite these advances in educational enrolment and attainment in India, problems continue to persist with regard to access to schools, quality of education and equal treatment within the school system for all children. While the net enrolment ratio at the primary level is approximately 98 per cent (District Info Sys. for Edu. 1), the official dropout (or push out) rate nationally before the fifth standard is 9.1 per cent. This rate ranges from 0 to 25 per cent across states, although NGOs and intergovernmental organisations have calculated a much higher rate (approximately 48 per cent nationwide) before the eighth standard (UNICEF: UN Children's Fund). India leads the world in the number of illiterate adults at 270 million and has the third largest population of out-of-school children (only Nigeria and Pakistan had more in 2011), estimated at 4 million (UN Children's Fund). Even when children attend schools, as they are in increasing numbers, it is not a given that a teacher will be present due to widespread absentee rates (Kremer et al. 3), nor that quality education will be offered. Perhaps unsurprisingly, a recent study found that just 48.2 per cent of fifth standard (or grade) students across India could read second-standard texts (ASER: Assessment Survey Evaluation Research Center).

Nationwide, literacy rates differ significantly by gender. According to India's most recent census (*Census of India 2011*), the male literacy rate is 82.1 per cent, while for women, it is 65.5 per cent nationally. The high dropout rate of young women, especially as they reach secondary school, may contribute to this sizeable differential between male and female literacy rates. Insufficient or non-existent latrines within the school structure themselves, particularly critical to the girl child's privacy as they reach puberty, is a significant cause of the decision to drop out from school by this age. In fact, UNICEF reports that just 54 per cent of schools across India had a separate girls' toilet that was usable for children in standards one through eight (UNICEF). In order to understand why so many children discontinue their schooling despite 3.1 per cent of India's Gross Domestic Product going towards education and considerable gains in recent years (UNESCO: UN Educational Scientific and Cultural Org., 'Statistics'), it is important to examine the micropolitics of everyday schooling and how the 'transaction' of rights occurs in education institutions.

Paradoxes of child protection

While Indian and international law offer an idyllic version of how children should engage with schools and be treated once there, many children and youth face inequitable and abusive conditions in their day-to-day lives within institutions of learning. School-based human rights issues include the still-common practices of corporal punishment; discrimination based on caste, religion or gender and corruption in schools (Nambissan 2; Nambissan and Sedwal 73; Natl. Comm. for the Protection of Child Rights 18). Corporal punishment was outlawed at the national level under the National Policy on Education (1986) and the Right to Education Act (2010), but not all states have abided by these laws despite considerable efforts, such as those by the National Commission for Protection of Child Rights, to seek their compliance. Further violating children's rights, students repeatedly mentioned forms of corruption, such as the extraction of money by teachers and headmasters, or bribes; the siphoning off of government-allotted funds intended for students' mid-day meals and/or uniforms by headmasters and teachers; and sexual abuse in schools without report or sanction.

Other scholars in this volume have discussed the marginalisation faced by distinct groups and related social inequalities which are, unsurprisingly, reproduced in the educational sphere. Of India's total population, Dalits,² or members of 'Scheduled Castes', constitute approximately 16 per cent of India's 1.2 billion inhabitants, and, in school settings, scholars have found a considerably strong 'hidden curriculum of discrimination' (Nambissan and Sedwal 84) that includes teacher involvement in or unwillingness to condemn incidents where Dalit children are forced to sit and/or eat separately (sometimes outside of the classroom), are denied access to school materials, and/or are beaten up by their higher caste peers.

This research found several instances of caste discrimination reported by students related to separation, being singled out for punishment, as well as being forced to clean toilets or other school premises while higher caste peers were in class, learning. In one severe case discussed by respondents in this study, a teacher in Tamil Nadu threw hot tea at a Dalit child because he had touched the cup the teacher was to drink out of – an act believed to cause the higher caste teacher to become 'polluted'. Such instances were especially found in rural areas and in states such as Karnataka, Tamil Nadu and Gujarat, where caste discrimination has been well-documented by human rights groups (Human Rights Watch 1; Navsarjan Trust and RFK Center for Justice and Human Rights 1). The following account by a Dalit student from Tamil Nadu, Shyam,³ conveys his discouragement related to his experiences at school:

In my school, the teachers make us [Dalit children] eat the food that was left over by them on their plate and then wash their plates. There were ten teachers and if we didn't wash all the plates, they would yell at us and hit us. My teacher also asks the Dalit children to wash all the toilets in the school. They give us some bleaching powder and some brooms and we have to clean up the toilets. They never make the higher caste children do this. We don't want to be on the bad side of the teacher since they are powerful, so we can't say anything. [. . .] I am too small to do anything about it.

(Interview, May 2009, as qtd. in Bajaj, "Schooling for Social Change" 84)

Perhaps as a result of the incidences such as the one noted by Shyam, the dropout rate for Dalit children before class eight is 55.2 per cent as opposed to the national average of 48.8 per cent (UN Children's Fund). While the types of discrimination faced by Dalit students in schools largely relate to their treatment by students and teachers of higher castes, Adivasi or tribal students attend remote schools and face distinct challenges to educational and social participation.

'Scheduled Tribes' or Adivasis,⁴ translated as 'original inhabitants', of India comprise roughly 8 per cent of India's total population. The Government of India recognises 533 tribes, 62 of them located in the Eastern state of Orissa, under this grouping. Efforts to promote education have been hampered by low literacy rates among Adivasi communities (47.1 per cent), which contribute to a lack of schooling for successive generations, and the 62.9 per cent dropout rate before completion of eight years of schooling as compared to 48.8 per cent nationwide (UN Children's Fund). Adivasis represent a higher proportion of the population in the north-eastern states as well as in Orissa and Madhya Pradesh; however, almost all Indian states (and all of those from which data were collected) have some Adivasi presence.

Teachers posted to schools for Adivasi children often view this as a punishment, and, in turn, view these communities with a lack of regard. This is evidenced, for example, in the high rate of teacher absenteeism in rural schools for Adivasi children. Although this absenteeism may be because teachers often have to commute far to school, even when teachers did show up, they were complicit in various forms of mistreatment and violation of children's rights. Many children noted that teachers were often 'beating us with the brooms and the sticks' or other implements (Orissa student focus group, 6 July 2009), and that when they reported such abuse, it was not taken seriously or dismissed. At one school, a girl noted that her teacher had been sexually abusing her and that after many months of trying to have

him terminated, he was simply transferred to another school with no other reprimand (focus group, 20 January 2009). At one rural school for Adivasi students in Orissa I visited during my research, a teacher quietly took me aside to share that the headmaster and other teachers had been conspiring and selling off some of the foodstuffs that came from the government for the mid-day meals. Instead of receiving this food, children were instead served watered-down rice and lentils, and the superiors were pocketing the surplus for themselves.

Headmasters in remote schools – whether for Adivasi or Dalit children – were often complicit in the negligence of the students in their charge. One educational official from an NGO charged with these visiting schools noted the following about a visit to a residential school for ‘tribal’ students in Tamil Nadu:

When I reached the school, I was so surprised because the headmaster was sleeping on a cot under a tree in the schoolyard. It was during the school hours and he was sleeping in his *lungi*.⁵ When I arrived, he woke up and said, ‘No problem, sir. Welcome’. He then got up, pushed the cot away, and showed me into his office.

(Interview, February 2009, as qtd. in Bajaj, “Schooling for Social Change” 67)

While teachers not performing on the job is often cited as a product of strong unions and the difficulty in firing teachers, it seems more likely to be a product of the sociocultural mismatch between teachers and students. The teachers who are instructing underprivileged children are themselves earning significantly higher middle-class salaries, and, most often, at least in the case of the over 120 teachers interviewed across all states, sending their own children to private, English-medium schools. This causes a socio-economic barrier between themselves and what they view as the ‘other people’s children’ they teach, utilising the term from scholar Lisa Delpit referring to a similar phenomenon in urban US schools (9).

Whether in schools that are government- or privately-run or located in rural or urban spaces, instances of violent punishment abound in Indian schools. Even in some private schools, corporal punishment was seen as a key tool in securing high scores on exams, which in turn, would make these schools competitive to enter, seemingly to offer a better academic curriculum, and able to recruit more (and perhaps even better caliber) future students. Yet, this corporal punishment caused psychological damage to children. For example, in 2010, a class eight student of an elite private school in West Bengal committed suicide after harsh beatings from the headmaster and teachers (Natl. Comm. for the Protection of Child Rights).

A national study found that despite the outlawing of corporal punishment in India through a Supreme Court order in 2000, 65 per cent of children reported still being beaten in schools, not to mention other forms of punishment (Bunsha 1). In 2009, Indian news outlets widely reported the case of Shanno, a class two student, who was made to stand with bricks on her shoulders in the searing Delhi summer heat as a punishment and died later that day after collapsing from exhaustion (Bhowmick). Nearly all students in this study reported witnessing or being the victim of the outlawed, but still common, practice of corporal punishment. One 11-year-old respondent noted that he switched schools after a teacher's punishment left him with a broken arm. Corporal punishment as a form of 'push-out' from Indian schools has been acknowledged, and some movement towards accountability for teachers still engaging the practice has been noted (British Broadcasting Corp.); greater progress, however, is needed to ensure the mental, emotional and physical well-being of children in schools.

Examples where children's rights are violated in schools were abundant in this research study and more representative data could be provided to support these violations. Yet, critical to this exploration is how NGOs are working to interrupt practices that push children out of schools and violate their rights.

Possibilities for children's rights

While social movements have been historically strong in India (Shah 16), organisations have increasingly used the human rights framework to chart their goals from the 1980s forward, and children's rights have figured prominently in this development. Children's rights advocacy and activist groups have focused on a diverse range of activities, ranging from the development of hotlines to report abuses of children's rights, teacher trainings, curricular reform, advocacy and lobbying, 'rescuing' children from child labour (an activity that has been critiqued by scholars such as Miriam Thangaraj), bridge programmes and incentives for children to return to school, among many others.

An extensive review of the work of the many hundreds of NGOs and state/national agencies in the promotion and protection of children's rights is beyond the scope of this chapter. As such, the section that follows reviews two school-based programmes seeking to advance children's rights, particularly for those from marginalised groups. The first is the educational wing – the Institute of Human Rights Education – of the larger human rights organisation, People's Watch, which is based in Madurai, Tamil Nadu, but operates across India. Their education programme trains teachers in rights concepts and pedagogies to offer a three-year course in human

rights education (twice a week) for students in classes six, seven and eight in several thousand schools across most of India's states. The second programme is the education programme of the Gujarat-based NGO Navsaranjan, particularly their creation and operation of three schools (from classes five to eight) that focus on human rights throughout the school structure, curriculum, pedagogy and co-curricular activities. Each programme will be discussed vis-à-vis students' responses to the innovative models and the lessons they offer for those interested in promoting and advancing children's rights in Indian schools.

The institute of human rights education

The Institute of Human Rights Education (IHRE), the educational wing of the Indian human rights organisation People's Watch, began operating in 1997, when teachers in Tamil Nadu asked activists at the organisation how they might incorporate human rights principles in the classroom. Starting as an experiment with a handful of schools, the organisation developed a curriculum, delivered trainings for teachers and attempted to translate and expand their human rights work (initially primarily on caste discrimination and police abuse) into a broad-based educational programme. As connections were made with the United Nations Decade for Human Rights Education (1995–2004), IHRE was able to gain support by aligning with international efforts to promote human rights and translating these interests into funding for their work (Tiphagne). At the time of this writing, IHRE operated in nearly 4,000 schools in eighteen Indian states. Textbooks have been developed in multiple regional languages, and more than 300,000 Indian students have participated in a three-year course in human rights. Year one introduces students to human rights; year two focuses on children's rights; and year three deals with discrimination and inequality.

IHRE's model attempts to offer breadth and depth to human rights education in the schools in which it works. By securing permission from the government, IHRE has been able to enter into thousands of schools, mainly those serving Dalit and Adivasi children, both groups comprising the most marginalised sections of Indian society. IHRE aims to secure two hour-long periods per week in which students in the sixth, seventh and eighth standards are taught by teachers who are trained by IHRE staff, and who use textbooks developed by affiliated curriculum experts. Textbooks and trainings include concepts related to general human rights, children's rights and issues of discrimination based on caste, gender, religion, ability, skin colour and ethnicity, among others (see Table 1.1).

IHRE's approach to educational reform vis-à-vis human rights differs greatly from conventional Indian education. Students' responses to the

Table 1.1 Frequency of topics and methods utilised in IHRE textbooks⁶

<i>Topics</i>	<i>Methods</i>
<i>(In order of frequency, from highest)</i>	<i>(In order of frequency, from highest)</i>
1. Poverty/underdevelopment/ class inequalities	1. Reflective/participatory in-class exercise
2. Gender discrimination/need for equal treatment	2. Illustrated dialogue or story
3. Child labour/children's rights	3. Community interviews and/or investigation and research
4. Caste discrimination/ untouchability/need for equality	4. Small group work and discussion
5. Social movements/ examples of leaders and activists	5. Creative artistic expression (drawing, poetry, etc.)
6. Religious intolerance/need for harmony and pluralism	6. Class presentation
7. Rights of tribal/Adivasi communities	7. Inquiry questions & essay writing
8. Rights of the disabled and mentally ill	8. Role play, dramatisation, song- writing
9. Democracy	9. Letter writing to officials
10. Environmental rights	10. School or community campaign

alternative instruction suggest that they are becoming *agents* rather than just *objects* of protection, as posited in policy documents. This horizontal approach to children's rights and child protection is a unique model that IHRE has developed and expanded, given the organisation's role as official state partners in Tamil Nadu of the National Commission for the Protection of Children's Rights. Traditional vertical relationships of protection privilege teacher (in)action in situations where they may, in fact, be the perpetrators of abuse, often rendering possibilities for intervention and corrective action invisible.

After learning about human rights, students often attempted to act upon their new learnings to protect the rights of other children. For example, the following incident related by a non-Dalit eighth standard student, Elangovan, from Tamil Nadu, is illustrative of solidarity acts across caste lines related to caste violence:

We were all eating our lunch and one of our classmates went to wash his plate in that water tap near the street. A woman from the village, who is from a higher subcaste, started yelling at him and

beating him saying, 'Why are you washing your plate here? You will pollute this tap?' So I went over and raised my voice to her saying, 'Why are you doing this? He has a right to wash in this tap. This is a common tap. He is a kid in this school and everyone is equal here. You can keep your caste outside, don't bring it inside here?'

(Student focus group, February 2009, as qtd. in Bajaj, "Schooling for Social Change" 109)

Several other students throughout this study, especially in Tamil Nadu – but also in Karnataka, Gujarat and some parts of Orissa – discussed taking action when their classmates were targeted for transgressing caste norms. In some cases, individual acts of solidarity sometimes interrupted the instance of discrimination as in the case of Elangovan noted; at other times, however, it only increased children's (both those targeted and those acting as allies) risk for backlash and retaliation, often through violence – several young people noted being physically beaten by community members when seeking to intervene in situations of abuse [I discuss the issue of backlash more extensively elsewhere (Bajaj, "Schooling for Social Change" 153)]. While students used instruction in human rights to confront abuses – such as corruption, mismanagement of government schemes intended for their benefit and discrimination by teachers that they saw in their schools – they had more impact collectively than when acting alone in such endeavours.

By acting together and wherever possible, students of IHRE's programme still faced the possibility of backlash, but they often had successes in addressing human rights violations. For example, a group of human rights education students related the following incident that occurred the first year they were learning about human rights in class six:

In the school mid-day meal scheme, the food was not good – there were insects, flies, and stones in the food. Before reading HRE, we used to take those insects out and then eat since we are not getting any food from home. The teacher also didn't care about the noon meal scheme, what's going on, he did not bother about that. But after going to the training, after teaching this HRE to us, we learnt about the basic right to food, right to clothing, right to have clean water. What we did one day in sixth [standard], we got the food from the cook. We brought the food to her and said, 'See this food, insects and stones are there, how can one eat this food? We won't have this food; we also have rights. We should have clean food and water. But you are not providing clean or good food for us'. Then, what she told us was, 'I am working for

the past 27 years. No one has ever asked me any single question. You children are asking me like this?’ We told her, ‘Yes, we have the right. See this book’. We also complained to the headmaster. She had to realize the mistake she was doing. Now we are getting noon meal from her and we are having good meals.

(Focus group, February 2009, as qtd. in Bajaj, “Schooling for Social Change” 89)

Whether for fear of losing her job or a genuine belief in students’ right to clean food, the cook changed her behaviour. In this case, student success was predicated on a responsive and supportive headmaster, not a given factor in every school. In another case, the headmaster, rather than supporting the students’ demands against the cook, beat the children who were complaining and threatened to expel them. At the time this research was being carried out, the students were seeking to file a complaint against the headmaster through the District Education Office, though it was unclear whether the district officers would respond to the students’ concerns.

While teachers are often discussed in human rights education literature as agents who simply transmit human rights instruction, IHRE focuses on teachers as equally important subjects of human rights education who can go through transformative processes as well as take action, rooted in knowledge and skills, in their own lives as well as those of students and community members. Many of the human rights abuses noted earlier in this chapter that take place in Indian schools – primarily gender discrimination, caste discrimination and corporal punishment – are often perpetuated by teachers. More than half of the examples of impact listed in a lengthy report commemorating IHRE’s ten-year anniversary are dedicated to the transformation of teachers who, given their relatively respected status in rural areas as part of a minority of literate professionals, can result in effective interventions on behalf of victims, whether the victims are their students or not (Bajaj, “Human Rights Education” 505). While IHRE operates through a twice-weekly course in many schools, Navsarjan has designed its *own* schools to embed the protection of children’s rights into the very fabric of educational life for students.

Navsarjan

Private schools run by non-governmental organisations and serving extremely marginalised groups in society are also innovating with promoting children’s rights through their curriculum and pedagogy. Navsarjan is a human rights and advocacy organisation founded in 1988 and focused

on the rights of Dalits. One of their primary areas of work is on 'Human Rights Value Education' under which Navsarjan operates three schools and hundreds of afterschool clubs in the various districts of Gujarat, where the organisation works.

In response to widespread caste discrimination in schools and the high dropout rate for Dalit students, Navsarjan has set up independently-run boarding schools in rural areas, which are of minimal cost. These schools draw on children from the poorest communities and the most excluded caste groups in the state of Gujarat. Children reported that prior to joining these schools, they were forced to sit separately, beaten and mistreated in other ways by teachers in government schools. The basic provision of an education that does not discriminate against these children is the first element of human rights education in Navsarjan's schools.

Navsarjan schools also seek to disrupt conventional educational practice through the curriculum and structure of its schools. For example, Navsarjan's curriculum includes greater participatory activities, such as children performing skits and sitting in a circle in class to facilitate interaction. Classes and assemblies reiterate messages about caste equality and eradicating the notion that Dalit children are less valuable than their higher caste peers. In terms of structure, the schools use eco-sanitation toilets that all students and teachers are required to learn about and empty once they are full – a significant intervention, given common discriminatory practices of making Dalit children clean toilets while other children are in class (Bajaj, "Schooling for Social Change" 84; Nambissan and Sedwal). Eco-sanitation toilets are latrines that collect fecal matter, sanitise it and then make it useable as fertiliser for farming. Eco-sanitation latrines have been introduced in all of Navsarjan's educational spaces (schools, offices and vocational training centre) as a way to propose and ensure alternative and more equal social relationships that counter Dalit disempowerment (Macwan).

Children in Navsarjan schools are not only introduced to innovative sanitation practices, but also to distinct practices around gender. Both boys and girls take part in cooking school meals, with boys often learning to make *chapattis* for the first time. One male student in the fifth standard narrated the following experience with the alternative instruction received from his school:

When I went home for the holidays, I wanted to help make *chapattis* at home like we do at school. At first, my mom protested and did not want me to help her since I'm a boy, but after insisting, she let me do it and I helped her and my sister with the cooking. Even my father came in and helped us do the cooking. I was

encouraging them so that they would see we can all do this equally like at school.

(Focus group, December 2009, as qtd. in Bajaj, “Small Schools” 10)

Boys and girls wear the same uniforms, unlike government and other schools, where girls wear skirts and boys, trousers, thereby highlighting their gender differences. Children’s books written by the organisation’s founder, noted Dalit activist Martin Macwan, focusing on caste and gender equity, are also utilised in the classroom. The impact of the alternative norms related to caste and gender equity in Navsarjan educational programmes are more extensively discussed elsewhere (Kropac 71), but several of the deliberate practices and initial responses explored by this study suggest promising results for the comprehensive promotion of children’s rights in school contexts.

Conclusion

This chapter has presented perspectives on the limits and possibilities for the inclusive and sustained protection of the rights of all children in Indian schools. The need for alternative models and approaches was highlighted by charting the move towards rights-based frameworks in Indian education that recognise the rights of children and by comparing the ground realities in many schools where such guarantees are routinely ignored and violated. Two such models – one working inside government schools across a variety of contexts and the other creating entirely new model schools outside the government’s purview – were presented with an eye towards how children are understanding, experiencing and becoming agents of rights protections. Alternative conceptions reposition children as integrally involved in protection, and thereby, enhance their agency and create opportunities to hold abusive adults, such as teachers in some schools, accountable.

Children’s rights will continue to be an important frame in policy discourse and the praxis of Indian social movements and NGOs. Schools as sites of simultaneous social integration and critical re-imagination are opportune locations in which to examine how rights are being taught, enacted and ‘transacted’ in multiple ways. As the Indian government – at national, state and local levels – seeks to make the promises of its recent Right to Education Act real in the lives of all children, especially those from the most marginalised communities, greater attention needs to be paid to the gaps between policy and practice. Those initiatives that emerge in this space to speak back to social exclusion and the forces of subordination offer insights into possible models, strategies and approaches

that might be scaled up in the pursuit of greater equity and social justice. Those interested in human rights in postcolonial India would do well to give primacy to the experiences of children in school decisions, in policy discussions and in programme development. Children are citizens in the present, not in some distant future, and are central to the Indian human rights project.

Notes

- 1 Sections of this chapter draw and build upon previous work published on this research, namely, *Schooling for Social Change: The Rise and Impact of Human Rights Education in India*, and two articles entitled 'Human Rights Education in Small Schools in India' and 'Human Rights Education: Ideology, Location, and Approaches'.
- 2 Dalits [literally translated as 'broken people'] live in all Indian states and treatment varies regionally and in urban versus rural settings. Human Rights Watch (2007) finds that 'Entrenched discrimination violates Dalits' rights to education, health, housing, property, freedom of religion, free choice of employment, and equal treatment before the law. Dalits also suffer routine violations of their right to life and security of person through state-sponsored or-sanctioned acts of violence, including torture' (1).
- 3 All respondents have been assigned pseudonyms to ensure confidentiality.
- 4 I choose to use the term 'Adivasi' for this group, despite the Indian government's use of the term 'tribal' or 'Scheduled Tribe', in accordance with what scholar Gail Omvedt suggests in her article 'Call us Adivasis, please'. For Omvedt, the term is one of greater respect and acknowledgement of the ways that development projects have often disadvantaged these original inhabitants of India. In certain instances, the word 'tribal' is utilised synonymously because of respondents' and officials' common use of the term.
- 5 A *lungi* is a fabric men commonly wear around the lower half of their body. It is typically worn as a nighttime dress to sleep in.
- 6 Topics and methods were analysed from an English translation of IHRE's textbooks utilised in Tamil Nadu. This table first appeared in Bajaj, 'Schooling for Social Change' 79.

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