



Research Paper

Right to Education: Comparative Analysis of different countries

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Hon'ble the President of India Shri Pranab Mukherjee has rightly said that "Education is the true alchemy that can bring India its next golden age. Our motto is unambiguous: All for knowledge, and knowledge for all." Holistic view of education has been interpreted in the National Curriculum Framework 2005, with implications for a systemic revamp of the entire content and process of education with significant implications for curriculum, teacher education, educational planning and management. The Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE), is an Indian legislation enacted by the Parliament of India, which describes the modalities of the importance of free and compulsory education for children between 6 and 14 year age group. India became one of 135 countries to make education a fundamental right of every child when the act came into force on 1 April 2010. RTE an ambitious act which when started had faced the ruthless attitude of the states crying over budget, framework and what not, but as we all know no beginning is a smooth beginning even child falls many times before he starts walking.

Let us start our article by imagining the world where there were only animals and nature. The time of pre historic age where everything was available to everyone at the cost of being "free". Slowly & gradually humans have started establishing their dominance over other species as they were gifted with super intelligence level in addition to the capability to manipulate things as per their requirements. Reason being that "Learning is born with the child", (not only in humans but also in animals to an extent) and that systematic pattern of learning can be known as education and humans with the utilization of the maximum capacity of his brain and the available resources and education foremost became the tiger in the jungle of nature. Education in the historic period was according to the rigid caste system followed in India at that time and only Brahmins had the privilege to get education and & to serve education. And then India being in the clutches of Slavery could never developed that stride, that niche which otherwise would have taken India into the category of developed country long time ago, one of the basic reason for that is education was not for all the Indians and moreover discrimination on the basis of caste, creed gender, language were rooted deep into the society. They all contributed so much in the leg pulling of Indian society as a whole that it resulted for its downfall in terms of education, economy & development.

And then even before getting independence our great & prominent leaders out of their sharp vision, ability to look forward 50-60 years ahead, broad outlook, and bitter experiences in the reign of Britishers understood the importance of education & they knew that for India to become an Independent, strong and self sufficient nation, education is the only tool which can shape the destiny of the country. Many policies, commissions & reforms like Hunter Commission-1857, The Indian University Commission-1904, The Sapru Committee-1934, The Kothari Commission-1964-66, NPE-1968, NPE-1986, POA-1992 etc were formed in country. Many amendments were done in the constitution which shows the need of the education in the system and by showing their constant interest & knowing the great importance of education everybody tries to share their bit in making the framework of the system called education out of which leaders were hoping to make the future of the country bright & strong.

Many Great leaders have their own vision regarding education but regarding the Right to Education we can never forget the contribution of Abul Kalam Muhiyuddin Ahmed Azad. He was an Indian scholar and a senior political leader of the Indian independence movement. He is commonly remembered as Maulana Azad. Maulana Azad had firm faith in the fact that every individual should have the right to education that would enable him to develop his faculties and live a full human life. He further said that such education was the birthright of every citizen. The enactment of the Right of Children to Free and Compulsory Education Act of 2009 is a culmination of Maulana's dream. The right to education is a universal entitlement to education, recognized in the International Covenant on Economic, Social and Cultural Rights as a human right that includes the right to free, compulsory primary education for all.

I. COMPARATIVE ANALYSIS OF DIFFERENT COUNTRIES

Gender, race, caste, and language differences were rooted deep into the society. They all contributed so much in the leg pulling of Indian society as a whole that it resulted for its downfall in terms of education, economy & development.

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II. COMPARATIVE ANALYSIS OF DIFFERENT COUNTRIES:

India:

Education in India is provided by the public sector as well as the private sector, with control and funding coming from three levels: central, state, and local. The Indian government lays emphasis on primary education up to the age of fourteen years, referred to as elementary education in India. Education has also been made free for children for 6 to 14 years of age or up to class VIII under the Right of Children to Free and Compulsory Education Act 2009. The Right of Children to Free and Compulsory Education Act or Right to Education Act (RTE), is an Indian legislation enacted by the Parliament of India on 4 August 2009, which describes the modalities of the importance of free and compulsory education for children between 6 and 14 in India under Article 21a of the Indian Constitution. India became one of 135 countries to make education a fundamental right of every child when the act came into force on 1 April 2010. It requires all private schools to reserve 25% of seats to children. The RTE Act is the first legislation in the world that puts the responsibility of ensuring enrolment, attendance and completion on the Government. It is the parents' responsibility to send the children to schools in the US and other countries.

The Right to Education of persons with disabilities until 18 years of age is laid down under a separate legislation- the Persons with Disabilities Act. A number of other provisions regarding improvement of school infrastructure, teacher-student ratio and faculty are made in the Act.

China:

Education in China is a state-run system of public education run by the Ministry of Education. All citizens must attend school for at least nine years. The government provides primary education for six to nine years, starting at age six or seven, followed by six years of secondary education for ages 12 to 18. Some provinces may have five years of primary school but four years for middle school. There are three years of middle school and three years of high school. The Ministry of Education reported a 99 percent attendance rate for primary school and an 80 percent rate for both primary and middle schools. In 1985, the government abolished tax-funded higher education, requiring university applicants to compete for scholarships based on academic ability. In the early 1980s the government allowed the establishment of the first private school. With regard to the age when compulsory education ends, China has a system of nine years' compulsory education which, according to the Education Act, may not begin before the age of 6. In actual practice, owing to differences in regional conditions, the age at which children begin their education varies nationwide, and the age at which they finish it varies accordingly, usually between 15 and 17. By law, the youngest age at which a worker may be hired is 16, and the great majority of children in China have finished their compulsory education by that age. Article 19 [Education], Article 24 [Socialist Education] and Article 46 [Education] promotes education.

Japan:

After primary school most children in Japan attend State public junior high schools. Many of these are non selective comprehensive schools, this means that any pupil can attend. It is co-educational and a small number of students attend private schools. These private schools are not funded by the state but obtain most of their finances from tuition fees paid by parents. The students in Japan have to go to another support school after school. This type of school guides the student's learning and teaches them skills. If a student has an entrance examination for an elite school or university, they have to study for that exam at that school Article 26, para 2 of the Constitution provides for compulsory education free of charge, the Government interprets the provision narrowly as prohibiting collection of tuition fees. It considers the free provision of textbooks merely as a legislative option. As a result, the parents have to bear a burden of educational expenses including fees to teaching materials, school meals and other necessities such as designated school and training uniforms. Article 20, 23, 26, 14, 10, 11 and 12 cover all the aspects of education, equality, religion and moral education etc

Germany:

The responsibility for the **German education system** lies primarily with the States while the federal government plays only a minor role. Optional Kindergarten (nursery school) education is provided for all children between two and six years of age, after which school attendance is compulsory. The system varies throughout Germany because each state decides its own educational policies. Most children, however, first attend Grundschule from the age of six to ten. The freedom of teaching shall not release any person from allegiance to the constitution. Parents and guardians shall have the right to decide whether children shall receive religious instruction. Religious instruction shall form part of the regular curriculum in state schools, with the exception of non-denominational schools. Without prejudice to the state's right of supervision, religious instruction shall be given in accordance with the tenets of the religious community concerned. Teachers may not be obliged against their will to give religious instruction. Children must by law receive education between the ages of 5 (4 in Northern Ireland) and 16. Article 3, 5, 6, 7, 9, 19, 91b 116 relates to education

USA:

Education in the United States is provided by public and private schools. Public education is universally available, with control and funding coming from state, local, and federal government. Public school curricula, funding, teaching, employment, and other policies are set through locally elected school boards with jurisdiction over school districts. State governments have control over educational standards and standardized tests for public school systems. Government supported, free public schools for all started being established after the American Revolution, and expanded in the 19th century, The Constitution includes human rights guarantees, but not the right to education. Education is compulsory over an age range beginning somewhere between ages five to eight and ending somewhere between ages sixteen to eighteen, depending on the state. This requirement can be satisfied by educating children in public schools, state-certified private schools, or an approved home school program. In most schools, education is divided into three levels: elementary school, middle or junior high school, and high school. Children are usually divided by age groups into grades, ranging from kindergarten and first grade for the youngest children, up to twelfth grade as the final year of high school. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

| | India | China | Germany | USA | Japan |
|---|--------------|---------------------|---------------------|---------------------|----------------------|
| Run by | State | State | State | State | Public/Pvt. |
| Started | 2010 | 1980 | 1982 | 1870 | 1947 |
| Compulsory Period | 8 years | 13 years | 10 years | 13 years | 9 years |
| Age of Child | 6-14 years | 6-19 years | 6-16 years | 5-18 years | 6-15 years |
| Attendance % | 99% | 99% | 90% | 99% | 99.98% |
| System | Co-education | Co-education | Co-education | Co-education | Co-education |
| Articles | 21A | 19,24,46 | 3,5,6,7,9,19,91b | Human Rights Act | 10,11,12,14,20,23,26 |
| Constitutional promises | Yes | Yes | Yes | Yes | Partial |
| Similar rules for entire country | Yes | Different in States | Different in States | Different in States | Different in States |

III. SUMMARY

Education remained a neglected area of state policy with universalization of elementary education continuing to be a distant goal. Efforts from educationists, academics and civil society groups that focused on a rights based approach finally yielded results in 2002, when the 86th constitutional amendment was passed by parliament and Article 21A, which makes right to education a fundamental right, was included in the constitution. In doing so, it put the Right to Education on par with the Right to Life stated in Article 21. Article 21 A states: “the state shall provide free and compulsory education to all children of the age of 6 to 14 years as the state may, by law determine”. The RTE Act also aims at reaching to the unreached and disadvantaged groups with providing specific provision of Free and Compulsory Education for every child who is above six years of age and has not yet been admitted to any school or though admitted, could not complete his or her education, then, he or she shall be admitted in a class appropriate to his or her age. To accomplish this task there is a provision in RTE Act for Special Training for such children in order to be at par with others. With all its aims, vision mission we can say that Right to education act is the act for future.

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