

Human Rights Education in Pakistan: Some rules of engagement

~ Peter Jacob

The author looks at the core attributes and challenges of human rights education in relation to the project on Minorities' Rights.

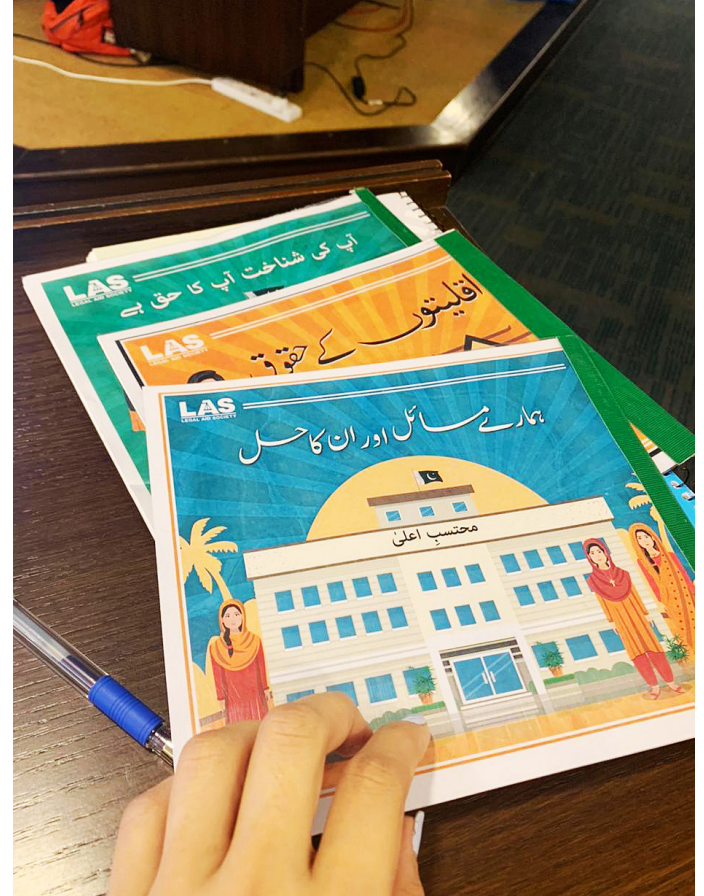
Human Rights Education refers to a set of broad but well-defined activities and specific projects seeking to impart know-how and skills in an organized manner on the subject of human rights, though these may fall in the formal and informal education. The governmental and non-governmental organizations have long relied on human rights education as a means to promote respect for human right, and to discourage human rights abuses. The approach become popular that led to expansive production of training manuals and helping material by a large number of entities including UNESCO and United Nations.¹

While a sensitivity and consciousness towards core values of human rights; respect for human beings, human dignity, equality and justice in central to human rights education initiatives, an effective involvement of the key stakeholders in the protection of human rights; judiciary that up holds justice by interpreting the legal safeguards and freedoms, the implementation machinery (duty bearers), the human rights defenders or the beneficiaries (bearers of the rights) plays in each example. Therefore, these initiatives must have these actors in the when the imagination for possible involvement.

The problem analysis and mapping the field-work are important elements of promoting and protecting human rights in all societies,

particularly those experiencing conflict and social unrest. This helps prioritization of actions and strategies for the individuals and organizations engaging in human rights advocacy.

The materials developed, have to take into account, the sensitivities of the beneficiary communities as well as the needs to build social cohesion with the majority community (faith groups). Therefore, the IEC material developed by LAS makes visual images to cater for semi and non-literate beneficiaries of its human rights education programs.



1. <https://www.ohchr.org/Documents/Publications/Catalogue.pdf>, <http://www.path-to-dignity.org/>

There are two more elements that we should discuss here that enable a wide recognition and fulfillment of rights. One, the prevailing sense or sensitivity towards justice and second is the given legal resources and proficiency of justice system. These elements can play an enabling role in the human rights education, even though in Pakistan, the notions of justice have been hugely influenced by the popular political slogans which often found a place in the legal system. The correlation is exemplified in excessive introduction of severe penalties (capital punishment) in the law and manifestations of public outrage in the public behavior against real or perceived injustices. Incidents of mob killings of suspects of theft, etc. can be referred as concrete example.

Having said that, one should give due credit to people's sense of justice reflected in wide condemnation of some human rights abuses, for instance; an arrest of human rights defenders/ journalist in Thatta or Turbat or gruesome lynching of a foreigner in Sialkot in the recent times. This is why some persistent violations such as Karo-Kari, extra-judicial killings, torture, abuse of blasphemy law have been debated in public spaces.

A resistance by civil society, media, journalist, lawyers and doctors has been consistent and

vocal for decades on some issues. In that respect, it is safe to say that Pakistani society's conscience and collective sense of justice is very much operational and praiseworthy. This is an enabling factor.

Nevertheless, Pakistan has been facing challenges about improving the access to and administration of justice. Hence, advocacy in this area of improvement will be directed to the policy makers. The judiciary and the Bar has been part of awareness towards human rights hence a partner in defense of human rights, yet it does not dilute the need of reforms in justice system. Therefore, it is highly recommended that a human rights education program should include the caveats about working with a justice system that has limitations.

A good human rights education program must correspond with the contextual realities and issues yet its understanding and public appeal is mainly about the human yearnings for rights and justice. The aspect that human rights are essentially everyone's concern and need should enable the plans about human rights education to embrace as open arms policy for actors who might be willing to play a role. Secondly, the values and norms attached to yearnings for rights and freedoms should be ingrained in the content as well as



the delivery of human rights education.

The human rights education must include information about forums and procedures that help preserve and foster human rights. The trainings and sessions on human rights education usually include the information and example about enforcement of human rights that have been already codified. At an advanced stage the human rights education program may include the example of expansion of the scope of rights by way of interpretations by the courts. For instance, the Supreme Court of Pakistan's interpretation about rights of trans-genders, people with this ability and Kaliash, in various judgments whose rights not covered by the codified law. Therefore, basic legal literacy, for instance, writ petitions (invoking fundamental rights). The example of remedies available for justice and violation of rights not only provide information but also a motivation to the audience.

One has to take extra care while engaging with the vulnerable groups such as minority communities. Different minority groups might have different requirements linked to the degree of vulnerability (bonded labour, forced conversions, etc.), locale and other need based on literacy levels, influence of the violators or the perpetrators.

Running legal aid programs also goes hand in hand towards this end. The best outcome of the legal aid work, independent or combined with human rights education, is evolving models of successful litigation that help expand awareness at a large scale and entailing strengthening of the social safety nets against injustices, which is itself is another level or form of human rights education.

It is encouraging that human rights organizations and civil society in Pakistan generally employed various approaches in variety of ways with a degree of success. A

classic example exists in the amendment achieved in the Hudood (Zina) Ordinance in 2006 after about 25 years of struggle². Countless seminars and studies were conducted in a long term awareness drive, since the introduction of this law in 1979 through a presidential order. The lacunas in the law were highlighted through case studies for creating the environment for a legislative change. Hence, the public opinion was tilted in favor of an amendment³ to remove inconsistencies in the law when a bill was initiated in the parliament by a member of the opposition **Ms. Sherry Rehman** a long serving parliamentarian. One should not fail to acknowledge that there were many stakeholders involved including the Council of Islamic Ideology was headed by an enlightened scholar which enabled the discussion on the Islamic laws. This successful drive of achieving a legislative success helps focus the outcomes of human rights education.

The movement about release of Haris (agricultural labour) in Sindh and Brick kiln labour in Punjab from the debt bondage during 1990s would also be good to look at in this respect. The legal aid program ran by civil society actors, HRCP, NCJP, etc. to achieve a wider awareness and legal remedies used the Habeas Corpus petitions. The movement led to a Supreme Court issuing a verdict that outlawed advancing money by the brick kiln owners⁴ to the labour to contract and finally an enactment in 1992 abolishing the practice of bonded labour.⁵

Last but not the least, human rights education is a global practice based on the universally recognized right however their delivery or implementation is largely contextual therefore the context and problem analysis mentioned earlier becomes extremely crucial before and during the implementation of an initiative involving human rights education.

2. Protection of Women (Criminal Laws Amendment) Act, 2006

3. Matin Lau, 25 years of Hudood Ordinances: A review, <https://law2.wlu.edu/deptimages/Law%20Review/64-4Lau.pdf> p.11-12.

4. Darshan Masih vs. The State, PLD 1990 SC 513.

5. The Bonded Labour (Abolition) Act 1992. <http://punjablaws.gov.pk/laws/1797a.html>