Placing the Right to Education Act (2009) in the era of Globalization

Bhoomi Shroff
Assistant Professor, Parul University, Vadodara.

ABSTRACT

India adopted the new economic policy of liberalisation in the year 1991. This brought about some major challenges to the nation which had more than half of the population living below the literacy rate. Globalization demanded skilled manpower and quality human capital to face the challenges and competition in the modern world. Skilled man power is possible through good quality education. It became pertinent for India to focus and invest in education to cater to the rising demands of globalization, and to mitigate the socio-economic inequalities arising out it. Since independence the focus of the policy makers and leaders had been on higher education. World class institutes like IITs and IIMs were set up to promote higher education in the country. However, the state of primary education was dismal, in spite of it being the very base of higher education. The required emphasis was not put up on setting up schools with good infrastructure and providing good quality education to the students, especially in the government schools. With the majority of the population living in the rural areas and living below the poverty line, the only access they had to education was these government primary schools. Although the constitution of India had a clause that the State shall endeavour to provide, within a period of ten years from the commencement of the Constitution, for free and compulsory education for all children until they complete the age of fourteen years, it was never implemented until recently with the passage of the Right to Education Act 2009 (RTE). This paper attempts to study the importance of RTE in the face of various challenges thrown up by globalization. The RTE is going to play a very significant role in enhancing the human capital of the country and leading to nations overall development.

Keywords: Globalization, Education, Right to Education, India.

The concept of Globalization

Globalization is a broad concept used to describe various things. It is sometimes referred as a process, a policy, a theory, an ideology, and also a marketing strategy. It is basically an integration of world economies and societies at large to facilitate the free flow of business, capital, information, technology, good and services, ideas and people across the borders. It is therefore, a multidimensional and multi layered concept which leads to cross country economic, social, political and cultural integration. It has also resulted in the unification of world markets; development of advance communication and information technology and its growing influence in our everyday lives; and increased mobility of people and migration to urban areas resulting in Urbanization.

Various authors and thinkers have defined and interpreted the term globalization in their own unique way. Kenichi Ohmae has linked Globalization to the idea of 'business world'. Whereas, according to Scholte, Globalization is the growth of supra-territorial relations among people. It is a reconfiguration of social space where the connections have a trans-world and trans-border character, and the idea territory decreases. Charles Hills has defined Globalization as a shift towards more integrated and interdependent world economy.

Globalization in Indian context

As part of the Structural Adjustment Programmes, India had to adopt the New Economic Policy and open its economy to the world market in 1991. With this ushered an era of Liberalization and Globalization in India. Before 1991, India had followed more of a socialistic pattern of development wherein, the model of state controlled economy was prevailing. However, after 1991, foreign companies, capital, goods and services and human resources started freely
engaging with India. This resulted in some major changes in the economic as well as the socio-political and cultural fabric of the country. India had the pressure of huge illiterate, unemployed population, majority of it living below the poverty line in the rural areas. Coupled with stagnant economy, declining growth rate, and low level of health and education indicators, India's condition had worsened during that era. In this light, some scholar viewed Globalization as boon to the country. According to them Globalization would lead to ample new opportunities for the development of the nation and the masses. It was deemed beneficial for creating new job opportunities for the service class, attracting foreign direct investments that would boost the industrial sector and facilitate hassle free export and imports of the goods and services.

However, there were some scholars and experts who viewed globalization with suspicion. The genesis of Globalization lies in Capitalism and Liberalism. One of the major arguments against it was that this system perpetuated economic inequality and marginalization of the poor. It also resulted in social inequality in the society. Globalization also encouraged Privatization. In a poor country like India, Privatization took over basic services like health and education along with others, thereby making them an expensive commodity for the poor.

The pros and cons of globalization is an entire different topic of research which the author is not discussing in this paper. However, the author has identified some challenges that India is facing in the wake of globalization, and for which the Right to Education Act 2009 can be of significant importance. Accordingly, this paper will focus on the following challenges of Globalization in the Indian context-

1. Lack of skilled man power
2. Rising social and economic inequalities
3. Privatization and Commercialization of Education

The Right to Education Act 2009

With the 86th constitutional amendment in the year 2002, India became the 135th country in the world to adopt the Right to Education as a Fundamental Right. The provision for the free and compulsory education was enshrined in the Constitution in the Article45 of the Directive Principles of the State Policy which stated that the State shall endeavor to provide, within a period of ten years from the commencement of this Constitution, for free and compulsory education for all children until they complete the age of fourteen years. But being a Directive Principle, it was non justicable.

The first official recommendation for the inclusion of a fundamental right to education was made in 1990 by the Acharya Ramamurti Committee. In the subsequent developments, the Supreme Court of India in the cases- Mohini Jain Vs State of Karnatka in 1991 & Unnikrishnan Vs State of Andhra Pradesh in 1993 - interpreted the fundamental right to life under Article 21 of the Constitution as the right to live with human dignity and all that goes along with it. With that view the Supreme Court asserted that in order to fulfill the life and dignity of an individual the right to education is necessary. Therefore, the Right to Education flows directly from the Right to life. With the insertion of Article 21 (A), Right to Education Act was passed in the Parliament in 2009 and it came into effect in Aril 1st 2010.

The Act provides that—

- Every child of the age of 6-14 years shall have a right to free and compulsory education in a neighbourhood school till completion of elementary education.

---


2 Ministry of Human Resources Development (2009), Government of India, The Right to Free and Compulsory Education Act
• A child above six years of age has not been admitted in any school or though admitted, could not complete his or her elementary education, then, he or she shall be admitted in a class appropriate to his or her age; Provided that where a child is directly admitted in a class appropriate to his or her age, then, he or she shall, in order to be at par with others, have a right to receive special training, in such manner, and within such time limits, as may be prescribed: Provided further that a child so admitted to elementary education shall be entitled to free education till completion of elementary education even after fourteen years.

• For the purposes of admission to elementary education. The age of a child shall be determined on the basis of the birth certificate issued in accordance with the provisions of the Births. Deaths and Marriages Registration Act, 1856 or on the basis of such other document, as may be prescribed. No child shall be denied admission in a school for lack of age proof.

• All children who complete elementary education shall be awarded a certificate

• Financial burden will be shared between state and central government.

• State governments will lay down model rules for the implementation of the Act in their respective states

• Provides for 25 percent reservation for economically disadvantaged communities in admission to Class One in all private schools

• Mandates improvement in quality of education

• Calls for a fixed student-teacher ratio

• School teachers will need adequate professional degree within five years or else will lose job

• School infrastructure (where there is problem) to be improved in three years, else recognition cancelled.

Significance of The Right to Education Act 2009 (RTE) in Globalized era

As discussed in the above section, this paper will focus on three challenges of Globalization in the Indian context and the role of RTE in mitigating them.

Lack of skilled man power

Indian case in terms of lack of skilled labour is very ironical. India contains 17.5% of world's population, becoming the second largest populated country in the world after China. However, according to the Economic Survey 2014-15, and as per the Labour Bureau Report 2014, the present skilled workforce in India was only 2%, which was much lower
when compared to the developing nations and that the number persons aged 15 years who have received or be receiving skills was merely 6.8 percent\(^3\). Among the several reasons like - dearth of formal vocational education, lack of vide variation quality, and inadequate skill training capacity- illiteracy and high school dropout rates are also considered as the major cause of poor skill levels of India's workforce.\(^4\) According to the National Skill Development Corporation Report, India is going to require around 119 million additional skilled work force by 24 sectors such as construction, retail, transportation logistics, automobile, and handloom by the year 2022.\(^5\)

By the year 2025, it is estimated that India will have over 70% of its population in the working age. This demographic dividend could be the biggest boon to India, since majority of the developing countries would be having their population in their retirement age. However, this could be an advantage for India only if the population is educated, skilled and qualified. Otherwise, it would turn into a biggest disaster resulting in rampant unemployment and poverty affecting the nation's growth and development.

It is therefore very important to invest in human capital of the country. Education can play a major role in training and skill development of this population dividend. Educated population can be the biggest driving force for the development of any nation.

### Rising Social and Economic Inequalities

The effects of Globalization have been a matter of constant debate in the academia as well as in the society. One of the major arguments against it is that Globalization perpetuates inequalities. Inequalities are manifested within the country, where some people are getting richer and the poor are getting poorer since the income rise resulting due to globalization and its other benefits are not equally shared among the people.

Another form of inequality resulting from globalization is the inequality among the nations. The developed countries are reaping the benefits at the cost of the less developed or under developed countries by exploiting their raw material and human capital at a very cheap cost. Moreover, these under developed countries are also becoming the biggest markets for selling finished products of the developed countries. This kind of inequality is prevailing at the international level.

Social and economic inequalities arising due to globalization within the country can be tackled by education. In order to reap the benefits of globalization and exploit the opportunities created by it, people must be skilled and educated. Without having proper education a person ends up being marginalized and poor. The RTE becomes very important as it provides everyone a chance to get primary education which is the basis of developing any further skill. Education empowers a person to fight against all forms of social and economic inequality.

### Privatization and Commercialization of Education

With the commencement of Globalization, the era of Privatization of education began. Earlier in India, education was state responsibility. However, due to various reasons, government started allowing the private players to enter in this sector. Globalization is one of the reasons for this. Globalization, linked with market liberalization, has both pressured

---


\(^4\) ibid

and encouraged governments to seek more efficient, more flexible, and more expansive education systems. Privatization may be one response to these changes.⁶

According to Parmeshwar (2008), due to globalization education has become more commercial. The government is encouraging the private sector, to establish schools, colleges and universities under private management. This leads to education not available for poor people⁷. The rise of private schools has led to inequality in the society as only a few people belonging to higher income group can afford it. They have better opportunities and exposure compared to their counterparts studying in the government schools. Under RTE the emphasis has been laid on providing good quality education, in the schools with proper infrastructure, to all children in the age group of 6 to 14. Further, there is also a provision of 25% reservation in private schools for children belonging to the disadvantaged section. This will give an equal opportunity to study in good schools.

CONCLUSION

In the light of the above problems, Right to Education Act can play a pivotal role in addressing them. The lack of skilled manpower can be addressed with an effective implementation of RTE. Primary education is a stepping stone for availing qualification and skills required to reap the benefits of globalization. In India due to various socio-economic, cultural and other constraints, children either don’t enrol in school at all, or they drop out in between without finishing their schooling. RTE makes it mandatory for children to complete their studies till 14 years. This will be very important to tackle the problems of lack of skilled man power. The effective implementation of RTE can transform people into skilled and trained labour.

Globalization demands skilled manpower for which it is very important to have quality education. This is also one of the main reasons for massive privatization of education. Due to privatization of education, some people are not able to afford education. Making Education a fundamental right of every child is a very significant step in this direction which will have a positive effect on nation’s overall growth and development. Education can also help mitigate the social economic inequalities arising in the society due to unequal distribution of wealth and resources. Several studies have proved that education can be the biggest weapon of empowerment in the hands of the poor and marginalized people.

The Right to education in the light of the above discussion, if implemented effectively, can address various problems arising in the era of globalization not only in India but in the world.

References

- Ministry of Human Resources Development (2009), Government of India, The Right to Free and Compulsory Education Act

---


• Sapru R. K. Public Policy Formulation, Implementation and Evaluation. Sterling Publishers
• The Right to Free and Compulsory Education Act, 2009, Ministry of Human Resources Development, GOI
• State RTE Rule: Gujarat, Ministry of Human Resources Development, GOI
• Hill M., Hupe P. Implementing Public Policy: Governance in Pheory and Practice, SAGE Publications
• Brooks, S. Public Policy in Canada: An Introduction, Don Mills, ON, Oxford University Press, 1998
• Dreze Jean and Sen Amarya. An Uncertain Glory: India and is Contradictions, Penguin, 2013
• De, Prabir Kumar. Public Policy and Systems, Pearson India, 2011
• Cairney, P. Public Policy Theories and Issues, Palgr Mac, 2011
• Jain, P and Dholakia, R. Feasibility of Implementation of Right to Education Act. Economic and Political Weekly, Vol XLIV No.25, June 20, 2009
• Annual Status of Education Report (ASER), January 15, 2013

WEBLIOGRAPHY

• http://www.springer.com/in/book/9788132219934
• http://jas.sagepub.com/content/49/1/3.abstract
• https://books.google.co.in/books?id=X74ACLxT7VIC&pg=PA12&lpg=PA12&dq=challenges+of+globalization+in+india&source=bl&ots=wpcUuyhkfq&sig=jqEsGBWclblykwF0KS8lu1JRPNE&hl=en&sa=X&ved=0ahUKEwiQ_aPT-7DNAhVCQo8KHTyaCOo4FBDoAQg3MAQ#v=onepage&q=challenges%20of%20globalization%20in%20india&f=false
• http://esr.oxfordjournals.org/content/25/1/1.short