

IMPLEMENTING THE FUNDAMENTAL RIGHT OF THE CHILD TO EDUCATION: THE CASE OF THE ANDAMAN AND NICOBAR ISLANDS

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Children have always been a vulnerable group in society. Their needs are secondary in the agenda of the policy maker, and even when these needs are taken into consideration; it is usually done as a token gesture. This note explores an example of this apathy by examining the status of child rights with particular focus on education in Andaman and Nicobar Islands. While the essay relies primarily on information gathered from the ground in January – February 2005, the issues discussed here have longer shadows. The rights of the child in Andaman and Nicobar Islands, has not been closely examined and the fault lines have never been apparent. The tsunami of 24.12.2004 is not the source of all the problems that children in Andaman and Nicobar Islands face today, but merely added to what already existed.

Introduction

The tsunami that struck the Indian subcontinent on December 26, 2004 left in its wake death and damage. The Andaman and Nicobar Islands (hereinafter “ANI”) was one of the worst affected territories. Relief work was taken up immediately and the Indian state along with various non-governmental actors from the country and globe pitched in with measures to alleviate the damage. Despite this work, certain issues remain which need to be addressed more meticulously and cannot be solved by ad hoc planning or implementation. This note addresses one such issue, which is the fundamental right of the child in to education. The rights of the child are inexorably linked with other, seemingly unrelated aspects, like infrastructure, habitation etc., which often affect the life of children. These aspects will be addressed as well, even if indirectly to gain a clear idea of the larger picture.

However, to understand any of the problems that the ANI face, a contextual understanding is necessary. The islands are divided into two groups the Andaman, and the Nicobar. Of this vast archipelago only a few islands are inhabited. The Nicobar group is a tribal reserve.¹ Of the six distinct tribal groups that call the archipelago home, two are of mongoloid descent and these

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¹ People from the mainland cannot gain entry into these islands except for the Campbell Bay in Great Nicobar, which has been de-reserved and has a military base, being the southernmost tip of the country. This narrow strip of land, which clings the coast, some 50 kilometres long, is inhabited by people from the mainland and persons of non-tribal origin.

groups reside in the Nicobar Islands. In the Andaman group, which is divided into three clusters, the tribal population belonging to four distinct groups (all of Negroid descent) resides in reserved areas. The combined strength of the all tribal groups is only 30,000 as opposed to the 400,000 strong non-tribal community.² The government has proposed various policy measures to populate the islands with “Indians” and has brought in settlers from the mainland, namely the states of Kerala, Andhra Pradesh and Tamil Nadu, during the 1960’s and 1970’s. The population in ANI today can therefore be described as cosmopolitan.

The attitude of the Indian government and administration towards this region is best described as colonial. *Res nullis* has been the foundation of all policies of the Indian state with respect to these islands. It is only in the past 10 years that the government has realized the error of this approach and has started to change its approach. The tribal population has always been treated as anthropological curiosities and some groups still receive such treatment.³

Further, the geographical profile of the islands makes it dependent on the mainland for all essential commodities. The lack of any sizeable fresh water bodies makes the islands extremely drought prone. There is a constant struggle for resources in the islands and there exists a strict social hierarchy that determines resource allocation and administrative attention. Administration and implementation of measures and policies in the distant corners is very difficult.⁴

The society in ANI is highly decentralized and there is no social mechanism which can be employed by the citizens to demand their rights. It is this socio-political context which must be kept in mind when comprehending the problems that the ANI face.

I. The Policy and Practice of Education

² The non-tribal population is composed of the penal settlers, the descendants of the prisoners of the infamous Cellular jail of the pre-independence era and of populations which have been resettled in the islands from the mainland, through specific government schemes.

³ Only the Nicobar tribal group, which has a 28,000 individuals strong population, has been able to represent its needs and demand its rights. Even the understanding that exists between this community and the non-tribal population is rather delicate and tense. Despite being vociferous and able to demand their rights, the members of this group are still treated by a major chunk of the non-tribal population as social inferiors.

⁴ There is no sufficient man power to keep the administrative machinery running. To an outsider the islands would appear to be in a time warp, with the bureaucracy ruling supreme with little or no interference from the government in the mainland.

Article 21A of The Constitution of India guarantees free and compulsory primary education to all children. India is also a party to the Convention on Rights of the Child and is therefore obliged to implement the principles contained therein, which include the right of the child to education. Yet, nothing has been done towards achieving any of these goals. Education in the islands is a struggle. Many, varied problems plague the system and receiving education is not an easy task. This dismal picture is primarily due to the accessibility of schools, the quality of education of imparted, the infrastructure made available and the attitude, both of the students and their parents, and the pedagogy. Port Blair, the capital town of these islands is comparatively better off, and educational opportunities within the town are satisfactory. However, the further one moves from it, the less fortunate circumstances appear. Particularly, in the far flung islands education is an expensive commodity. Most problems relating to education which predate the tsunami have been compounded by it. The tsunami has thrown up a plethora of problems, particularly related to infrastructure and access. While they may overlap, this paper will try and outline these problems under the rough categories of access, quality, retention, and infrastructure.

II. The Problem of Access and Expense

Awareness about the need for education and its benefits are not something alien to the inhabitants of the islands. Indeed even the tribal community of the Nicobar Islands is aware of its importance and sends its children to schools maintained and run by the state. However, despite awareness about the benefits of education, schooling is still seen as a luxury which most people can ill-afford. The population of the islands consists primarily of daily labourers with an average income of Rs. 150 – Rs. 200. Most families have at least three children. With the limited resources, educating all would mean a severe strain on the economy of the family. This is alleviated to a certain extent due to the presence of a large number of state run schools in the islands. Though the schooling itself is free, the ancillary expenses of procuring stationeries, uniforms etc., are high. Expenses are further compounded by the problem of accessibility

With no public transport system to speak, save in the town of Port Blair, the islands suffer from a major commutation problem. Most of the habitation is in the form of coastal strips and reserved forests run their entire length. Children who need to go to school often need to walk close to 6 or 7 kilometres if they

are not able to catch a bus. In the southern group of Nicobar public transport does not even exist. Transportation is by private run jeeps which are expensive and run to no particular schedule. In such conditions getting to schools is a major difficulty.

III. The Nature and Quality of Education

In spite of these heavy dents on the family income, most parents send their children to schools. However, there remain certain pockets of population in the islands which are wary of education and prevent their children from joining schools. Those who do manage to go to schools are pulled out by the time they turn thirteen.⁵ This is primarily because of disenchantment with system of education more than due to the lack of awareness. With no industry to speak of, which can employ the qualified and trained labour, there is practically no avenue open to the educated. The kind of education offered is similar to that available in the mainland and manages to create a pool of lettered individuals as against the skilled, who might actually have a chance of employment. This is one of most important reasons for drop-outs.

It is not merely the kind of education available, also the quality which poses a problem. There is only one college in the whole of the islands which offers courses in the basic arts and sciences. The few who are able to afford it have to further pursue their studies in the mainland, if they want to enter a viable profession. The education available in the islands prepares the students for a white-collar life whereas all that is on offer is blue-collar. This clash between talent and requirement is more often than not irredeemable and acts as one of the biggest pitfalls in retention of students and inculcating more children into the folds of education. Lack of opportunities coupled with pressing economic needs at home force children of an adolescent age to drop out of school and work with the family.

The quality of education is dismal. Though the actual number of drop-outs is low, the number of school going children who are out of classrooms is high. Due to the rather “flexible” nature of the school schedule in the Islands students of all ages can be seen out of class constantly. Teachers are few and far between. Those who have been appointed hardly ever report to duty; those

⁵ This practice is common amongst the migrant labourers who have been resettled from the state of Bihar in Hut Bay, in the island of Little Andaman. This particular community records the highest number of drop-outs and girl children of this particular community are completely denied schooling.

who do, do not involve themselves in their work.⁶ This is more so in the case of teachers who have been appointed to schools which are located at the far ends of the archipelago. Months pass before the appointed pedagogue makes an appearance, during which intervening period, the students are left to fend for themselves and extract whatever learning they can from the textbooks that has been provided to them. There have been instances when due to the lack of enthusiasm of the teacher; batches of students have had to sit for their certificate exams, unguided.

There is also a lack of qualified teachers in the schools of the far-flung islands. The students of higher classes have had to make do with one teacher for all subjects. Lack of qualified teachers is another problem which has a direct and most damaging effect on the quality of education imparted. This lack of quality adds to the already existing disenchantment due to lack of opportunity, to make education seem dispensable and needless. Proper education is available only in Port Blair, where there are a profusion of schools both state run and private, and only the rich can afford these. Even then, a trip to the mainland is a necessity to receive proper higher education.

IV. Infrastructure

Infrastructure in the ANI has been weakened due to the tsunami and the subsequent earthquakes. There has been a change in the topography because of the tsunami. The southern end of the archipelago has lost several feet in altitude and regions which were once above the tidal mark are now ravaged by the seas. Since most of the settlements are in the form of coastal strips, significant parts of the inhabited areas are now tidal flats. This has left many buildings and structures within the reaches of the waves and these include school buildings. Provisional schools have been constructed and this new construction is in the same form and structure as the rest of the construction on the islands. Little attention has been paid to need for proper planning. Sanitation and space for movement have been seriously compromised and this could lead to severe problems. The materials used in the construction are totally unsuited to the climate and conditions prevailing in these islands. Traditionally most construction in the island has been done using wood and bamboo, since these materials have long proven to withstand the climatic conditions. However, most new construction uses tin and metal sheets. The lack of planning extends

⁶ Students have reported instances, to the author, when the teachers have come to class in an inebriated state or have declared impromptu holidays to pamper their own distaste towards work. Despite the hyperbole, which these statements may verily contain, the fact remains that the attitude of the teachers is lackadaisical and one that warrants reproach.

both to the temporary shelters and the schools which have been put up. The most worrying aspect of infrastructure is the possibility of the temporary shelters being converted to permanent shelters due to lack of land. People have to make do with the available land, since further construction would require clearing reserved forests which raise grave environmental concerns. In certain areas, the old structures are still being used as schools despite the presence of ominous cracks caused by the earthquakes which makes habitation in these buildings dangerous. Due to these geographical and topographical changes access to and from these schools is impossible during the high tide mark.

V. Problems of Education Endemic to the ANI

Aside from these structural and systemic difficulties, there also other problems which are unique to the islands and arise from the very nature of its composition. Catering to the cosmopolitan composition of the ANI creates further encumbrances on an already overburdened system. Due to the presence of the people from communities speaking different languages (Tamil, Malayalam, Telugu, Hindi and Bengali) education is imparted in all these different languages along with English. This adds to the problem of procuring qualified teachers who are willing to teach in the various islands.

Conclusion

Several measures need to be formulated to combat these problems, but these measures need to be well thought out and must be effective. Some of the problems which affect the rights of the child to education have greater ramifications which affect other aspects of their life, such as infrastructure. Proper planning of both residential areas and community areas is necessary. When these considerations are addressed it must be kept in mind that children are also stakeholders and their special requirements must be addressed. Apart from the problems relating to infrastructure, there are other problems which need a social change. The question of awareness about education and retention in schools cannot be addressed unless something is done about the attitude of the teachers and the kind of education proffered. The special nature of these islands must be an important consideration when framing any policy.

The colonial attitude of the administration which is reflected in the policies, has also permeated the educational system and needs to be addressed. One of the pressing needs for a better future for the children of these islands is a revamped system of education which is made more relevant to the needs of the

day. Such a revamped syllabus must include vocational training, special focus on communication skills. The method of imparting education must also be changed from one which places emphasis on learning by rote to a system which recognises and encourages creativity and innovation. The system of education must also be moulded to fit the needs of people today. For example, in a society like India which can provide only provide blue-collar jobs and where any form of industrial development is difficult, economic growth becomes almost impossible. Any aspiring student who seeks to create a place for himself/herself can only do so by emigrating to the mainland. There is difference in the skills demanded in the islands and in the mainland and any revamped system of education must seek to bridge this gap.

Since the indigenous tribal communities constitute a substantial part of the population, it is necessary that any policy framed recognizes them as stakeholders and addresses their special problems. Their culture faces great threat today, and not just from the civilising zeal of the settlers but from the possible loss of any apparent value in the face of insensitive development.⁷

These problems can be properly addressed by accepting that all beneficiaries and persons who will be affected by the policies as stakeholders and including them in the process of policy-making itself. Greater participation by both parents and children or representatives of the same may help in creating a viable policy to address the question of the rights of the child.

⁷ Children of these communities go to the state run schools and receive education there. The lessons they are taught vary greatly from their own life and customs. Article 29 of the Convention of the Rights of the Child requires the State Parties to ensure that the education offered to the child should help the child learn more about its own community and culture and learn to respect the cultural values. Though the education imparted does not actively deride the culture of the community, it does not promote it any way. Also, the reality of the social milieu may actively discourage any enthusiasm in the lore and rituals of the community. In such circumstance it is very much possible that the younger generation would lose all interest in the customs and practices and seek to ape the mainlanders.