

The Right to Education: A Human Rights Perspective on Access, Equality, and Empowerment

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Abstract

The study investigates the impact of the Right to Education on equity and discrimination minimized through qualitative, descriptive, and explanatory research designs that generate data from secondary sources. Purposes include the analysis of how the “Right to Education” enables identical educational opportunities and the progress of a human rights-based policy approach concerning the outcomes. The results expose that educating the vulnerable is a means of social upliftment that also helps bridge the socio-economic, the male-female, and the infirmity-caused gaps. The study affirms that the practice of the “Right to Education” is racism-reducing, and the rights-based framework makes it more efficient in addressing educational equity and inclusion.

Keywords: Education, Equality, Empowerment, Human, Discrimination

1. Introduction

The access to education is a fundamental right of individuals, as enshrined in numerous international and national legislations, including India's “Right to Education Act” of 2009. It encompasses not only access to educational institutions but also ensures equitable access, quality education, and personal empowerment. This right is crucial for eradicating poverty, guaranteeing social and economic equity, and fostering sustainable development (Singh, K. 2014). Education is commonly defined as the incremental acquisition of knowledge or the training process through which individuals impart or acquire specific abilities; also, it can be perceived as the cultivation of character. It is unequivocally the dissemination of knowledge and information, but more significantly, the transmission of experience, understanding, and wisdom. The main objective of education is the intergenerational transfer of culture. Education is inherently valuable as humanity's most potent instrument for personal empowerment (Pimentel 2013).

Gender inequalities in education remain a significant issue, as substantial inequities persist in most developing nations. Education not only imparts fundamental information and skills to enhance health and income, but it also allows women to assume their due roles in society and the development process. It confers prestige and confidence, enabling women to influence home decisions; those who have

received an education typically marry later and have fewer children. Their offspring are well nourished and significantly more likely to excel academically (Becker et al., 2015).

Educated women can surmount cultural and socioeconomic impediments, such as inadequate family planning and illness proliferation that perpetuate the cycle of poverty. However, girls are essential at home and significantly contribute to the family income: they care for siblings, tend to ill relatives (e.g., in the context of HIV/AIDS in Africa), and perform domestic chores. Additionally, the scarcity of government schools and inadequate public transport create distance as an obstacle for both boys and girls; yet, due to concerns regarding safety and security, many parents are hesitant to permit their daughters to traverse large distances to school. In several African nations, the sexual assault of female students—both within educational institutions and on route to them—constitutes a primary factor prompting parents to withdraw their daughters from school (Pimentel 2006).

Education is seen as a fundamental human right, vital for enhancing human dignity via the attainment of knowledge, insight, and comprehension. Moreover, education is acknowledged as a complex “social, economic, and cultural human right” for instrumental ends. It represents a social right since it promotes the whole development of human personality within the community context. This represents an economic right as it fosters economic self-sufficiency through job or self-employment. This represents a cultural right, as the global society has directed education towards the formation of a universal culture of human rights. In summary, education is an essential prerequisite for individuals to operate well as human beings in contemporary society (McCowan 2013).

In this framework, education is not considered a right that should be provided freely, accessible, acceptable, and adaptive. This is evident in a modified lexicon, as indicated by the notion that “access” to education does not equate to government-funded free education. Education is no more a right; it is dictated by financial capacity and market self-regulation, reflecting a gradual privatisation that shifts educational expenses onto impoverished families. A remarkable variety of educational expenses, encompassing direct tuition fees and indirect costs for books, stationery, uniforms, and transportation, are expected to be borne by families globally (Broderick 2018).

“Human Rights Education” (HRE) is a long-term strategy aimed at addressing the requirements of future generations. This education for our future is unlikely to receive backing from the impatient and narrow-minded, however it is crucial to design creative educational programs to promote human development, peace, democracy, and adherence to the rule of law (Richard Pierre Claude 2025). Guaranteeing access to elementary schools for all children requires substantial expenditure, further intensified by the demands of post-compulsory education and universities. Although the state is not the sole investor, international human rights law mandates it to act as the investor of last resort to guarantee the availability of primary education for all school-age children (John Chetty 2016).

Providing elementary education to remote rural groups, including those that may be migratory, demonstrates the magnitude of the problem. The existing global emphasis on primary education has diverted attention from secondary and university education, thus neglecting governmental responsibilities in these sectors. It is vital to address human rights in education. Absent a definitive understanding of the interconnection between the “right to education and rights within education”, the advancement of HRE or the promotion of human rights via education becomes unattainable. Occurrences within educational institutions are rarely scrutinised via the prism of human rights, primarily due to the nascent concept of rights in education. Systematic collection of evidence regarding

abuses in education is lacking, resulting in a significant lack of awareness that enables the continuation of such abuses (Katarina Tomaševski 2001).

- **Universal Declaration of Human Rights**

Education is a crucial instrument for the social and economic advancement of a nation. Fundamental educational abilities, such as “reading and writing”, can enhance an individual's income by up to 10%, serving as a powerful tool for liberation and contributing to the alleviation of global poverty and famine. Various governments globally have proclaimed that every distinct has the “right to education”, as articulated in the “Universal Declaration of Human Rights” (World Education Forum, 2000). Since that time, other organisations have endeavoured to advance education by instituting novel educational practices and policies. The organisations comprise the “United Nations Educational, Scientific and Cultural Organisation” (UNESCO), the “Convention against Discrimination” in Education (1960), the “International Covenant on Economic”, “Social and Cultural Rights” (1966), and the “Convention on the Elimination of All Forms of Discrimination against Women” (1981) (UNICEF, 2007) (Subedi, 2021).

The “quality of education” is seen as the cornerstone of Education for All (UNESCO, 2000a). The “quality of education” pertains to the value of education concerning its inputs, the teaching-learning process, and the outputs/outcomes. The objectives, including the promotion of early infant education, the advancement of adult literacy, and life-skills programs, are influenced by the calibre of educational content and the proficiency of educators. Governments worldwide have significantly engaged in the education of their inhabitants. Significant resources are allocated to education each year to enhance the learning process. Nevertheless, the ordinary and quality of education frequently fall short of their potential, particularly in underdeveloped countries. The education policy-planning process: an applied framework, together with the “World Bank Logical Framework”, seeks to examine the "Education for All" program, specifically focussing on the quality imperative outlined in the “EFA Global Monitoring Report” (Madani 2019).

- **Language Barriers in Accessing Education**

Language barriers substantially impact the expense and quality of healthcare services. Language difficulties may occur between healthcare professionals and patients in the absence of a common native language. Healthcare practitioners must provide high-quality care that respects human rights and equity for all patients, regardless of language barriers. Health disparities, particularly inequitable treatment stemming from linguistic barriers, are associated with unequal access to healthcare and varied health outcomes. A recent study indicated that patients lacking proficiency in the local language face disadvantages in accessing healthcare services (Erlangga 2022).

Numerous studies demonstrate that persons facing language barriers face poorer health outcomes compared to those who communicate in the local language. Growing evidence suggests that language barriers indirectly influence the quality-of-care patients get. Language barriers reduce satisfaction for both patients and healthcare practitioners, while also impeding communication between the two parties. Patients facing linguistic challenges are more likely to utilise greater healthcare services and experience a higher rate of adverse outcomes. A recent study conducted across six hospitals in the United States revealed that adverse events were more prevalent among patients with limited English proficiency compared to those proficient in English (Al Shamsi et al., 2020).

The study aims to address the critical need for equitable access to education, especially in poorer nations where pronounced gender inequities endure. It underscores the significance of education as a fundamental human right that empowers individuals, especially women, to break the cycle of poverty

and improve their socio-economic conditions. The research highlights the detrimental effects of the privatization of education, which shifts costs onto disadvantaged families, thereby exacerbating inequalities. Furthermore, it underscores the necessity of integrating “human rights education” into curricula to foster a culture of respect for human rights and democratic values. By exploring the interrelationship between the “right to education and rights in education”, the study seeks to advocate for comprehensive educational reforms that prioritize both primary and higher education, ultimately contributing to social and economic growth, improved health outcomes, and the eradication of poverty and hunger globally.

2. Literature review

Lee (2013) explored the role of governments and individuals in supporting institutional reforms necessary for achieving free universal primary education, as promoted by the United Nations. The study involved questioning and analysing the responsibilities of both governments and individuals in establishing effective structures for providing basic primary education that went beyond mere access. The study highlighted the need for a comprehensive approach to education that ensured youngsters not only had access to education but also acquired the skills and knowledge necessary to utilise that education effectively in their lives.

Singh (2014) discussed the limitations in achieving the “right to education” devoid of discrimination or exclusion. It advocated for heightened focus on meeting State duties to guarantee equal educational opportunities, in accordance with international human rights treaties. It also promoted the enhancement of normative action, affirmative action, and social protection measures to attain educational equality. The research proposed a robust regulatory framework for both public and private educational institutions, promoting equitable approaches for marginalised children.

Sepúlveda Carmona & Donald (2015) explored the importance of legal empowerment during political transitions, particularly for individuals living in poverty, and identified the obstacles they faced in accessing justice. The study examined various “legal empowerment and access to justice programs”, analysing their assistances and challenges through a human rights lens. They focused on the need to address power asymmetries and the diverse obstacles—social, cultural, financial, and systemic—that hindered access to justice. The study provided insights and lessons for practitioners and policymakers, emphasising the need for targeted

Thomas (2016) explored the interconnections between the devaluation of female life, violence against women, and the broader context of internal conflicts in India, particularly in relation to gendered and sexualised violence. The methods employed included an analysis of the structural and social factors that condoned violence, as well as an examination of transitional justice mechanisms in addressing human rights violations stemming from these conflicts. The conclusion revealed that the interplay of militarisation, militancy, and religious aggression exacerbated gendered violence, highlighting the urgent need for comprehensive approaches to transitional justice that addressed these intertwined issues in the context of India's diverse internal conflicts.

Broderick (2018) ensured equal participation of persons with disabilities in society. “Article 24 of the United Nations Convention on the Rights of Persons with Disabilities aimed for inclusive education and the development of human potential”. Nevertheless, there has been insufficient emphasis on the significance of equality regarding the right to education for individuals with disabilities. The capabilities approach aimed to address the shortcomings of conventional equality evaluations in education by

emphasising the need of guaranteeing equality and fostering human potential. This study explored the potential of the capability approach in implementing educational equality at the national level.

Madani (2019) examined the educational policies and their effectiveness in ensuring universal access to quality education, particularly in developing countries. Methods included analysing various indicators such as government spending, student/teacher ratios, and test scores to assess educational quality. The outcome highlighted the importance of a multifaceted approach to defining ideal education indicators and emphasised the need for comprehensive evaluations to enhance educational systems globally. Ultimately, the study underscored that investments in education were crucial for societal growth and individual empowerment.

Supaat & Denson (2019) explored the connection between women's empowerment and children's access to education, emphasising the urgent need for improvement in educational rights. Utilising a qualitative approach, the research examined the negative consequences of infringing women's rights on education and highlighted the positive effects of women's empowerment on educational access. By analysing various projects across different jurisdictions, the study demonstrated that the human rights of different stakeholders were interconnected and could mutually enhance one another, ultimately advocating for a holistic approach to improving educational access for children.

Al Shamsi et al., (2020) investigated the impact of language barriers on healthcare quality and satisfaction among medical professionals and patients. By utilising two databases, PubMed and Medline, the review analysed 14 studies that involved 300,918 participants from several countries. The findings exposed that language barriers led to “miscommunication, decreased satisfaction, and compromised patient safety, while interpreter services increased treatment costs and duration”. However, the implementation of “online translation tools like Google Translate and MediBabble” significantly improved satisfaction levels to 92% and enhanced healthcare quality, suggesting a viable solution to those challenges.

Ali & Kamrajum (2023) explored the ethical considerations and societal implications of promoting girl child education as a means of social empowerment. It examined the intersecting factors of ethics, education, and society, focussing on the ethical challenges faced in ensuring equal “access to education” for girls and the transformative potential of education in fostering gender equality and social progress. The study investigated the ethical dilemmas associated with gender disparities in education, the social barriers that impeded girls’ education, and the role of society in addressing these challenges. By analysing existing research and case studies, it aimed to provide insights into the ethical dimensions of girl child education and its impact on the empowerment of girls and the broader society.

Wang et al., (2024) explored perceptions of “women empowerment” through four types: political, economic, knowledge, and psychological empowerment, based on empirical research. It employed qualitative methods to analyse the impact of nonformal education on changing gender norms and emphasised the necessity for both micro and macro-level changes, particularly in the private sector. The outcome revealed that women's liberation and advancement hinged on achieving agency at individual and group levels, with the involvement of women-led NGOs being crucial. The research highlighted a disparity in perceptions of gender equity between female and male school leaders in China, while noting a generally positive outlook on gender relationships in academic institutions.

Research Gap

The study research gap focus on the impact of specific policies or interventions on the right to education, particularly for marginalized groups. While numerous scholars have highlighted the importance of the

Right to Education (RTE) in achieving social equality, current literature reveals notable gaps in addressing its practical implementation, especially in marginalized communities. Singh (2014) underscores the persistent inequalities in access caused by socio-economic status, gender, and disability, but falls short of providing strategies for ground-level application. Broderick (2018) introduces the capability approach to advocate for inclusive education for persons with disabilities; however, the real-world policy integration of this model remains underexplored. Although Pimentel (2006) and Becker et al. (2015) emphasize education's empowerment role—particularly for women—the intersection of gender empowerment and systemic educational reform lacks empirical investigation. Furthermore, Madani (2019) discusses quality indicators of education in developing countries, yet there's limited analysis of how these metrics influence equitable access under a human rights framework. Wang et al. (2024) explore women's empowerment through education, but their study largely focuses on perceptions rather than structural change. Thus, this research fills the gap by analyzing not only the theoretical underpinnings but also the actionable impact of RTE through a human rights-based approach, particularly in reducing discrimination and ensuring equality in educational opportunities.

3. Objective of the study

1. To analyze the role of the Right to Education in promoting equality and reducing discrimination in educational opportunities.
2. To identify the impact of educational access on individual and community empowerment, especially among disadvantaged populations.

4. Research Methodology

The present study titled "The Right to Education: A Human Rights Perspective on Access, Equality, and Empowerment" adopts a qualitative research methodology to explore the multifaceted dimensions of education as a fundamental human right. The qualitative approach is particularly well-suited for understanding the complexities, nuances, and contextual variations in the interpretation and implementation of the right to education across different socio-economic and cultural settings. This study relies on secondary data sources, including academic journals, policy briefs, governmental publications, and legal documents. These sources provide a rich repository of insights into global, national, and regional educational frameworks, rights-based discourses, and barriers to equitable access. The research design is both descriptive and explanatory in nature. The descriptive component focuses on outlining the historical evolution, legal underpinnings, and current status of the right to education across different regions, especially in developing countries. It captures how constitutional provisions, legal frameworks, and policy initiatives reflect a commitment to educational rights. The explanatory aspect delves deeper into the systemic and structural factors—such as socio-economic inequalities, gender discrimination, marginalization of minority communities, and policy inefficiencies—that hinder access and equality in education. By synthesizing and interpreting existing literature and data, the study aims to provide a critical understanding of how the right to education can serve as a powerful tool for empowerment, enabling individuals to break the cycles of poverty, exclusion, and social injustice. This methodological approach ensures that the research not only maps the state of educational access and equality but also interrogates the broader human rights implications associated with educational deprivation.

5. Result based on objective

Objective 1: To analyze the role of the Right to Education in promoting equality and reducing discrimination in educational opportunities.

The “Right to Education” is a key factor in removing the socio-economic class divide and also in providing fair educational access for those who are most deprived. Singh (2014) contends that educational discrepancies due to the socio-economic status of the family, gender, and disability still exist, calling for more rigorous government action and better regulatory frameworks. Direction to the issue is provided by the principle of equal opportunities, which has been a part of the “international human rights” treaties, through affirmative action and inclusive educational policies. According to Broderick (2018), the capability approach is instrumental in the participation and empowerment of disabled persons in the education system in order to actualize their full potential. In this respect, education appears as a tool for the authorisation of the marginalised and their active participation in society. It is also argued by Pimentel (2006) and Becker et al. (2015) that education for empowerment improves an individual, particularly the women to fight the social structure that subordinates them, thus making positive contributions towards health, family planning, and social standing. The collaborative results of these studies prove that the oral comprehension of the “Right to Education”, based on human rights, is mainly aimed to lift the weight of bias and maintain fairness in the society.

Objective 2: To identify the impact of educational access on individual and community empowerment, especially among disadvantaged populations.

The study focuses on examining how access to education can transform both personal lives and collective societal conditions, particularly for those who are socio-economically or historically marginalized. Educational access can pull underprivileged individuals—namely, women, ethnic minorities, people with disabilities and the economically weaker sections—out of the vortex of poverty and ostracism. Education serves as a vehicle that renders self-esteem a valuable resource, turns unemployment into employment, and prepares the ground for the development of critical thinking. When it comes to the community level, it could be a step to better health, the knowledge of things political, or even a way of the collective taking an active part in their society's well-being. The idea suggests that education needs to be understood as having multifaceted dimensions to be known thoroughly, indicated by the concept of not only the enrolment rates or literacy statistics but also the qualitative outcomes of education and the shift in roles, behaviours, and societal perceptions (Mishra, & Pettala, 2023). It also proposes an in-depth study into the social, cultural, and economic inhibitors to the education of deprived sections of society. Another insightful point is that this educational power does not have uniform effects everywhere, which is why “exploring” is the concept that comes out strongly. An exploratory position helps to understand the problem in a detailed way and consequently to find the factors on both sides—enabling forces and systemic difficulties. In essence, the goal of this study is to create a body of knowledge that can guide various governments, non-governmental organizations, and the general society in decision-making regarding policies, strategies, and interventions, including the restructuration of the educational sector to act as a driving force behind inclusive development, social equity, and the resilience of a community over a long period thanks to the improvement of educational access (Lewis et al., 2020).

6. Discussion

The “Right to Education” is widely recognized as a transformative tool for fostering equality, empower-

ment, and the elimination of discrimination in educational opportunities. The study argues Hypothesis H1, the implementation of the “Right to Education” significantly contributes to promoting equality and reducing discrimination in access to educational opportunities. Hypothesis H2, states that the “human rights-based approach to education” policy positively influences the effective implementation of the Right to Education. In the opinion of Singh (2014), the most essential matter is to confront the problems of educational access disparities caused by social status, gender, and disability; hence, the author is talking about steps to be taken and the legislation to implement the order with the goal of ensuring the opportunities. Broderick (2018) also refers to the capability approach as a very effective way of promoting the inclusion of persons with disabilities in society through education, thus enriching the concept of empowerment and enabling them for individual fulfillment and social integration. Pimentel (2006, 2013) also points out the talent of schooling, particularly with regard to women, as a source of not only motivation but also of courage, thus leading them to defy the power of men, postpone marriage and even brighten their family's financial status. Much the same, Becker, De Wet, and Van Vollenhoven (2015) assert the moral nature of the HRE system to human dignity, freedom, and equality. Therefore, the realization and safety of human rights are only possible when such fundamental rights are recognized and accepted by individuals. In another study, according to Richard Pierre Claude (2025) Human Rights Education (HRE) is an area of knowledge that fosters democracy, peace, and justice and, hence, the civil society formed on it. Wang, Chan, and Abdullah (2024) also argue that women's education can ignite their political, economic, psychological, and knowledge-based empowerment, and this can be best done with the help of not only schools but also non-formal education that can transform gender attitudes. Besides that, Subedi (2021) indicates international instruments like the Universal Declaration of Human Rights and various UN conventions to be the fundamentals of educational rights.

7. Conclusion

In conclusion, the “Right to Education” is a primary tool for the advancement of equality, decrease of discrimination, and the ability of people from all societal layers to be able to attain their potential in life. The study reinforces that education is not just a service; it is the most important human right that includes accessibility, inclusion, quality, and relevance. It has a significant function in solving the socio-economic differences, advocating gender equality, and the triumph of the full participation of disadvantaged groups such as disabled people. Additionally, from the argument that has been aired, it can be seen that education is the main thing in the development of a person, his or her economic standing, and the creation of democratic values and human dignity. Despite being acknowledged globally and being supported by laws, there are several significant problems that still remain such as in deficient infrastructure, socio-cultural barriers, economic restrictions, and the privatization of education, which leads to the unequal. These barriers call for a radical reform and a “rights-based approach” to ensure that education is available, accessible, acceptable, and adaptable to the needs of all. It is through teaching human rights and enacting non-exclusive policies that a balanced and fair educational environment will be brought about. Lastly, the Right to education is not only a power that changes the lives of individuals, but it is also a force that contributes to sustainable development and social cohesion at a greater level and, thus, it should be protected.

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