

An unconstitutional conspiracy

Why is the State not committed to providing education to all its citizens?

Does it have vested interests or its priorities are misplaced?

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On March 28, 1906, Gopal Krishna Gokhale, then member of the viceroy's Supreme Legislative Council, delivered his 'budget speech' in the council. As the most important long range measure of general reform, he called for the introduction of free primary education throughout India at once, with compulsion to be added gradually, first in urban areas, till "in the course of twenty years or so from now, we have in our midst a system of compulsory and free education throughout the country, and that, for both boys and girls". Any government, charged Gokhale, which neglected to foster most actively the spread of education would "be open to the reproach of failing in one of its most sacred duties to the people".

Since then, emphasis on primary education has been the *mantra* of every political party worth its name. In fact among the commitments that Pandit Nehru emphasised in his historic 'tryst with destiny' speech 50 years ago, was the removal of illiteracy and ignorance. Article 45 of the Constitution of India makes provision for free and compulsory education for children. It directs that "the State shall endeavour 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." No other Constitutional provision fixes such a time frame for its implementation. It is clear that 'the State' viz. the Central Government, State Government and all statutory authorities concerned with education were expected to endeavour (i.e. 'try earnestly') to translate this vision into reality before Republic Day of the year 1960. As per the 1991 census, children below the age of fourteen years constituted about 37% of the country's population. And according to Article 45 they ought to have been getting 'free and compulsory education.' Yet, in 1993-94, more than thirty years after the outer limit envisioned by the framers of our Constitution, the Indian expenditure on primary to higher education, research and development was only Rs 279 per capita per year or about 3.5% of the GNP (Gross National Product). The contemporaneous corre-

sponding figure for USA was 10% of GNP. Small wonder then that the illiteracy rate in India in 1990 was 52% as against less than 5% in developed countries. And this inspite the fact that the 1986 National Policy on Education emphasises universal involvement and retention of children upto age of 14 years. The policy emphatically states that "it shall be ensured that our children who are to attain the age of 11 years by 1990 will have had five years of schooling or its equivalent through the non-formal stream, likewise by 1995, all children will be provided free and compulsory education till 14 years of age". Just take a look around you and you will realise that there is a hiatus between policy and practice.

A standard textbook on Indian economy emphatically states, "Illiteracy retards growth. A minimum level of education is necessary to acquire skills as also to comprehend social problems... Fatalism and acceptance of misery as a part of life and belief in a predestined order are all accompanied by mass illiteracy". (*Indian Economy* by Ruddar Dutt and K P M Sundaram). No one disputes the fact that reality of education in India, even primary education, is quite contrary to the vision of the framers of the Indian Constitution. But not much thought has gone into the causes for this state of affairs. The primary cause has been our mentality of not doing anything which we cannot be compelled to do. This tendency is even more marked in those who are entrusted with the job of doing things within the machinery of the Government.

In 1993, the Supreme Court felt "constrained to say that allocation of available funds to different sectors of education in India discloses an inversion of priorities indicated by the Constitution.... This inversion has been commented upon adversely by both educationists and economists" For good measure, the learned judges also observed, "It is the tyrants and bad rulers who are afraid of spread of education and knowledge among the deprived classes. Witness Hitler railing against universal education". Do these dictats really matter to our politicians? One does not know. But in Mumbai, the Municipal Corporation, whose obligatory duty it is to maintain, aid,

and suitably accommodate schools for primary education (Section 61(g) of the B M C Act, 1888) has instead shut down at least 20 municipal primary schools last year alone (*Bombay Times*, 1/7/97). Has anybody done anything about this?

Towards the end of the 1960's, the renowned economist Amartya Sen gave a series of lectures on the inequities of Indian education. One of them, the Lai Bahadur Shastri Memorial lecture, titled *The Crisis of Indian Education*, was published around 1970. In it, Sen complained of the fact that far more resources were spent on higher education than on primary education. Yet, today, 27 years later, the situation has not improved but worsened. This is the "inversion of priorities" mentioned by the Supreme Court. Higher education has expanded dramatically, and India has one of the largest educated populations in the world. According to Sen, for every student that China sends to the University, we send as many six. Yet, while China is now close to universal literacy, half the Indian adult population is still illiterate and two-thirds of them women.

India is the only major country in the world that is trying to approach the 21st century with the bulk of the country illiterate. Nineteen million out of 179 million children in the age group of 6-14 years do not go to schools (NSS September 1994). The dropout rate among the 116.2 million children enrolled in 1991 was 49% (report of the Department of Education, 1993-94). According to a survey of child labour in India, out of 102.3 million households 35.5 millions (or 34.7%) were working children and every fourth child between the age of 5 to 15 years in these families was the bread earner. These are the dismal, stark facts. It is clear that while a lot has been said and done by everybody, there is a lot more said than done. In their recent book *India: Economic Development and Social Opportunity* (1995), Jean Dreze and Amartya Sen exclaim, "The remarkable neglect of elementary education in India is all the more striking given the widespread recognition in the contemporary world, of the importance of basic education for economic development."

Even today, on public platforms, everybody likes to stress the importance of primary education. The Supreme Court has even evoked the spectre of Hitler! But what is the end result? Governments 'remote-controlled' by modern dictators are still shutting down Municipal primary schools as and when they please. Article 45, with its promise of fulfilment by 1960, is still an unrealised dream in 1997: So are a host of other directive principles which are supposed to be "fundamental in the governance" of our country. Article 41 of the Constitution, another directive principle of state policy, mentions that the state shall, within the limits of its economic capacity and development, make effective provision inter alia for securing the 'right to education'. Moreover, to effectuate Article 45 (which is a directive principle) a corresponding Article 24 (which is a fundamental right against exploitation) was also framed to expressly prohibit employment of any child below the age of 14 years in any factory, mine or other hazardous employment. Such children were meant to be in schools, not in factories or

in other employments hazardous to their health. Yet, about 17% of the 35.5 million working children in India are below 14 years of age. Over 19 million children in this very age group (6 to 14 years) do not go to school.

The non-enforceability of the directive principles and the over-emphasis in the past on the protection of the fundamental rights of monied and propertied classes has resulted in gross injustice to the overwhelming majority of the people of India, who, according to Nani Palkhiwala, "gave unto themselves the Constitution, but not the ability to keep it, who inherited a resplendent heritage but not the wisdom to cherish it, who suffer and endure in patience, without the perception of their potential".

A 'perception of their potential' by the people of India is what this is really all about. And that perception can come only by education. What will happen to all the vested interests then? The answer is as clear as the writing on the wall. But the unconstitutional conspiracy to keep most citizens illiterate has ensured that they can't even read the writing on the wall in spite of all the constitutional provisions made for their upliftment.

On March 18, 1910, Gokhale once again raised the issue of primary education in the Viceroy's Supreme Legislative Council. He moved a resolution for this purpose and called for a bill to implement this resolution, insisting, "It is at present universally recognised that a certain minimum of general instruction is an obligation which society owes to its future members, and in nearly the whole civilised world, every state is trying to meet this obligation". The well-being of millions of India's children waited upon the "humanising influence of education" he explained, stressing that "the whole of our future as a nation is inextricably bound up with it." On March 16, 1911 Gokhale introduced the 'Primary Education Bill'. It failed to become the law. After Independence, the salient features of the Bill not only became the law, but the "Supreme Law" of the land viz. constitutional law. But has the ground reality really changed? Why do Gokhale's observations of almost a century ago still have a contemporary ring about them?

When Pandit Nehru died, a note was discovered on his desk in which he had pensively penned the following lines from a poem by the American poet Robert Frost:

*The woods are lovely, dark and deep
But I have promises to keep
And miles to go before I sleep
And miles to go before I sleep."*

Nowhere is the poignancy of these lines and their significance more evident than in the field of primary education wherein we appear to have gone to sleep even before we reached the first milestone. •

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