

Analysis and Suggestions for Improvement of Human Rights Education in China

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Abstract. This paper studied the development process and current status of Human Rights Education (HRE) in China. Three deficiencies were revealed, including the lack of legal regulations and legal protection for HRE with unclear main obligations, the incomplete HRE system, and the deficient HRE training for civil servants. The paper analyzed the “National Human Rights Action Plan of China” both in 2009 and in 2012. Three suggestions for the promotion of HRE development in China are proposed to improve the relevant legislations and define the main obligations of HRE, combine HRE with civil education, and enhance HRE training for civil servants.

Introduction

The degree of implementation of human rights is usually subject to people's awareness of human rights. Yet Human Rights Education (HRE) has an important role in the formation of human rights awareness. Meanwhile, HRE is essential for promoting the democratic legal system of the state and the society, also for improving the respect and the protection for human rights. Chinese scholars developed their studies on HRE along with the progress of HRE in China. Current academic research on HRE mainly consists of three categories: 1) studies concerning the basic theory of HRE to understand its concept, purpose, value, function, and its relation with human rights culture and human rights awareness [1-6]; 2) research issues focusing on a certain topic in the field of HRE, such as the HRE in colleges and universities [7-9]; 3) systematic discussion of problems in the field of HRE in China. The last category provided insufficient works and results, and further few of the studies [10,11] presented enough updated development of HRE in China, such as the announcement of “National Human Rights Action Plan of China (2012-2015)”. Therefore, this paper compared and analyzed “National Human Rights Action Plan of China (2009-2010)” and “National Human Rights Action Plan of China (2012-2015)”, and then studied the HRE status quo to propose suggestions for the promotion of HRE in China.

Development Process of HRE in China

It is commonly recognized as one of the most important ways from human rights theory to practice. United Nations human rights organizations and international human rights instruments attach great importance to HRE. In 1994, United Nations General Assembly announced the launch of “United Nations Decade for Human Rights Education” Action Plan. It required, during the Decade for Human Rights Education (1995-2004) period, that each country should develop and implement a comprehensive (in terms of range), effective (from educational strategies) and sustainable long-term national action plan for HRE. Consequently, HRE in China began to develop rapidly under the supports of Chinese government. China's State council formulated the “National Human Rights Action Plan of China (2009-2010)” and then the “National Human Rights Action Plan of China (2012-2015)”. These have shown the Chinese government's emphasis on HRE.

China Human Rights Studies (CHRS) founded in Beijing in 1993. Then, China Human Rights Development Foundation (CHPDF) incorporated in 1994. CHRS developed the official website of

"China Human Rights Network" and sponsored the "Human Rights" magazine. CHRDF also set up the official website of "Human Rights Network". These actions have played an irreplaceable role in the dissemination of human rights knowledge and the promotion of HRE. Meanwhile, the human rights organizations of Sweden, Norway and Denmark launched their seminars and trainings of human rights law in China universities, which encouraged the HRE development in China universities. Chinese Ministry of Education approved three national human rights education and training bases in 2011. Currently, human rights law courses have been included in undergraduate teaching program in some colleges and universities. Some schools also began to accept human rights JDs and postgraduates. At present, there are nearly 50 human rights research organizations founded by universities or research institutes. These contribute much to the development of HRE in China.

China Status Quo of HRE

Recent years, HRE developed rapidly and carried out remarkable results in China. However, China HRE has comparatively short history when comparing with many other countries, and thus presents many problems and shortcomings.

Lack of Legal Regulations and Protection, Unclear Main Obligations

The promotion and development of HRE demands the protection of legal system. "Human rights in Constitution" provides the constitutional basis for this. However, because of lack of clear and operational laws and regulations, there is no integrated plan to ensure the implementation of HRE in China. The most important main obligation of HRE should be the government, while all educational institutions are responsible for the promotion and implementation of HRE. For a long time, the government especially the educational administrative departments, lack of full understanding of their legal obligations and moral responsibilities for national HRE development. Although the education departments occasionally carried out certain HRE works, the HRE actions, in a whole, lack of normal, professional, systematic and authoritative supports.

Incomplete HRE System

Currently HRE mainly restricts in universities, without actual delivery in primary and secondary schools. Moreover, human rights obtain generally low degree of recognition in society [12]. In fact, HRE in colleges and universities is only one part of the national HRE. Theoretically, HRE should be delivered to all people, which belongs to civil education and lifelong education. The "National Human Rights Action Plan of China (2009-2010)" proposed that countries will combine the law popularization activities with the existing compulsory, secondary education, higher education, vocational education system and government training institutions as well as radio, television, newspapers, Internet and other media to carry out well-planned various forms of HRE for popularization and dissemination of legal knowledge and human rights knowledge. Therefore, as the civil education, HRE should not be limited to higher education, but also provided to the whole society.

Deficient HRE Training for Civil Servants

The degree of implementation of human rights is often subject to human rights awareness of people. Among them, human rights awareness of the civil servants, especially the leaders, is an important factor. According to "National Human Rights Action Plan of China (2009-2010)", HRE training should focus on civil servants, especially for those in police, procuratorates, courts, prisons, urban management, administrative law enforcement agencies and other specific law enforcement agencies and personnel; each of the law enforcement department should develop HRE training plan according to their own work features to enhance education of laws and regulations about human rights protection to promote the normal, regular, institutionalized human rights knowledge education; specialized human rights training materials should be developed; some conditional national organizations and cities could be selected as HRE training demonstration units for tracking and monitoring. However, in practice, few HRE trainings were delivered to civil servants, far from the expected results. Moreover, "National Human Rights Action Plan of China (2012-2015)" presented much less statement about HRE than before, particularly with regard to human rights training for civil

servants, but only required to include HRE into training programs for civil servants to strengthen HRE training of civil servants. Further operational details are not provided by it.

Suggestions for HRE Development in China

From a global perspective, HRE practices are implemented in different ways in different countries, and thus there are no fixed patterns and procedures for HRE. It is essential to realize that both content and form of HRE should subject to local specific realities.

Improve the Relevant Legislations and Define the Main Obligations of HRE

HRE itself is one of citizens' basic human rights, which should receive legal recognition and protection. Hence China should enact comprehensive specialized HRE legal documents to provide domestic legal basis for HRE development. The first thing is to establish the seriousness and the necessity of HRE no matter whether the HRE is written into the fundamental law or special laws and regulations. HRE for every citizen should be a government responsibility, which is the basic requirement for a country under the rule of law. Therefore, the government is the most important main obligation of HRE. It should be responsible for the development of laws and policies and action plans for HRE to promote the implementation of HRE. Furthermore, the government should increase financial support and other resources inputs for HRE, including educational sites, hardware facilities, and software construction such as preparation of teaching materials and human rights website setup. Therefore, a specialized human rights organization, such as a "National Human Rights Education Committee", is supposed to be responsible for HRE programs planning and implementation.

Combine HRE with Civil Education

After the United Nations Decade for Human Rights Education, in 2005, the United Nations has developed a "World Programme for Human Rights Education First Phase (2005-2007) Plan of Action", with the main objective to ensure the delivery of human rights courses in primary and secondary schools. In 2010, the United Nations also proposed "World Programme for Human Rights Education Second Phase (2010-2014) Plan of Action", focused on human rights training programs for higher education and teachers, educators, civil servants, law enforcement and military personnel. China started HRE first in the field of higher education, while left HRE in primary and secondary schools a blank. In fact, HRE ought to be the Education For All (EFA, i.e. civil education) and the lifelong education, where the EFA means the education provided for the whole people. As suggestions in "National Human Rights Action Plan of China (2009-2010)", it is desired to gradually increase legal and human rights content in primary and secondary education; systematically delivery courses about citizens' basic rights and obligations of Chinese Constitution and courses about international human rights knowledge in high schools, in addition to the development of the general concept of human rights; carry out well-planned HRE activities for the general public to acquire human rights knowledge and enhance their awareness of human rights.

Enhance HRE Training for Civil Servants

Civil servants act as an important role in implementing the national human rights action plan, and thus HRE must be actually carried out to them with attentions. If the HRE for students and ordinary citizens focus on "understanding your human rights", then the HRE for civil services will focus on "understanding your responsibilities for human rights". Apparently, the civil servants, on behalf of the country to exercise public authority, take a greater responsibility for the protection of human rights than the common citizen. The level of human rights awareness of civil servants considerably determines the level of the national human rights protection. HRE of civil servant is mainly to develop their philosophy about administration according to law, strict law enforcement and administration of justice. The HRE for civil servants should pay attention to law enforcement officials and judicial officials. The specialized HRE training programs will be developed for police officers, judges, prosecutors, production safety supervision officials and tax officials etc. Because the civil servants at the basic level are usually prone to violate human rights, it is important to intensify their HRE to ensure a solid foundation for human rights protection. Generally, emphasis on HRE of

civil servants is expected to show the whole society a good demonstration and contribute to the development of human rights awareness and HRE.

Conclusions

Human rights education provides important means to raise the human rights awareness of citizens and promote the implementation of human rights. The development of HRE is expected to fulfill the specific requirements to respect and protect human rights in the Constitution, and provide an important guarantee for social harmony and economic stability in China. Therefore, HRE should be carried out to the whole people through the legal education. In this regard, the Chinese government and relevant education departments should be responsible for the promotion of HRE actions.

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