

Der Illettrist

By Olivier Paulus and Stefan Hillebran

The film tells the story of a father who is summoned by the headmistress of his daughter's school. It transpires that his daughter is too often absent from school. Then, little by little, one realises that the father does not know how to read, and that he hides this fact from those around him. When his daughter grasps this she takes it into her head to teach him to read.

The film raises the question of the right to education which is at the heart of and one of the most important human rights.

The right to education

Article 26, paragraph 1 of the Universal Declaration of Human Rights (see Bouly, A Camper Meets the Eternal) states: “Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.”

Following the Universal Declaration of Human Rights (UDHR), the right to education was included in the International Covenant on Economic, Social and Cultural Rights although it transcends the divisions normally used to classify human rights. In fact, the right to education relates to economics in that it leads to training for a job, it relates to social rights in that it leads to social integration, and it relates to culture in that it is a means of acquiring culture. One can even make the case that the right to education is to an extent a political right. Its presence is indispensable for the enjoyment of all other rights, to be informed and to participate in political life, for example. Its inclusion in the International Covenant on Economic, Social and Cultural Rights has however weakened it. In fact, like all the other rights in this Covenant, it is not enforceable in that the States are required to assure it only according to their means.

Article 13 of the Covenant distinguishes the different levels of education which must be covered for the achievement of this right. They are not regarded in the same manner.

Primary education must be compulsory and freely available to all.

Secondary education, including technical and professional training, must be generally available and accessible to all, and in particular by the progressive introduction of free education.

Higher education is to be made accessible to all, on the basis of ability, and by the progressive introduction of free education.

Finally, it should be noted that the Covenant envisioned the case of persons who have not received primary education or who have not pursued it to graduation. This is called basic education and it should be encouraged and increased.

The **Swiss Constitution contents itself with the statement that “the right to sufficient and free primary education is guaranteed” (article 19). However, contrary to the Covenant, the Constitution makes this a fundamental right, as it is classified in the chapter dealing with “fundamental rights” and not in the one dealing with “social goals”.**

The content and objectives of education

The content of education is determined by the States. Nevertheless, they are held to a certain number of obligations sketched out by the UDHR and specified by the Covenant. Paragraph 2 of Article 26 of the UDHR specifies that:

“Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace”.

With this clause, the **Universal Declaration of Human Rights reflects the realisation at the end of the Second World War that, as is mentioned in the treaty creating UNESCO, “since wars begin in the minds of men, it is in the minds of men that the defences of peace must be constructed”.**

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This objective was taken up by the Covenant which made it an obligation on the part of States. Education must not just prepare an individual to play a useful social and economic role in society, but also ward off the intolerance, racism, discrimination and all other attitudes that infringe against human rights.