

Social Justice in Education: The Role of Open Schooling

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ABSTRACT:

Access to good quality education affects the rights to health, employment and participation in political and cultural life and the exercise of freedoms such as that of speech, religion and belief. That is why the right to education is recognised as a human right that is important for social justice. If social justice provides equitable outcomes to marginalised groups by recognising past disadvantages and existence of structural barriers embedded in the social, economic and political system that perpetuate systemic discrimination, then is there something that can be done to provide educational opportunities to young prison inmates to fulfil their rights? Undoubtedly the Open and Distance Learning (ODL) System which withdraws barriers of space, pace and time can play a critical role in this regard.

This paper describes the role National Institute of Open schooling (NIOS), India, plays in providing school education to young prison inmates in one of the largest prisons in India located in Delhi. The paper will examine the background of the prison inmates, reasons they are in prison and why have they joined the NIOS course. This analysis will provide a perspective on prison learners, their future aspirations and the strategies that can further be adopted for rehabilitation so that when they are out of prison they engage themselves in the community in positive ways. Studies have shown that educated prisoners are less likely to return to prison. NIOS attempts to contribute in this aspect to make the concept of social justice in education a reality.

1.0 INTRODUCTION

Education is undoubtedly the key to sustainable human development. Access to good quality education affects the rights to health, employment and participation in political and cultural life and the exercise of freedoms such as that of speech, religion and belief. Hence, the right to education is recognized as a human right to which every person is entitled without discrimination and is therefore considered important for social justice.

Social justice is a complicated concept. Philosophers and economists have intensely debated the issue and opinions have varied from those who considered it morally and ethically correct (Kant, Rawls) to “social justice is quite meaningless in a free society” (Hayek, <http://www.hayekcenter.org/friedrichhayek/html>). But to put it in context, one may consider social justice to be based on the concepts of human rights and equality i.e. social justice is about tackling inequalities and striving for a fair, tolerant and cohesive society. “Equal opportunity and social justice in education calls for: availability, accessibility, affordability, acceptability and adaptability” (<http://www.tlc.murdoch.edu.au/eosj/>).

While equal opportunity rights are applicable to everyone, social justice undoubtedly considers the marginalised groups of people in society by recognising past disadvantages and existence of structural barriers embedded in the social, economic and political system that perpetuate systemic discrimination – it focuses on the disadvantaged group in the society. Could prison inmates be considered as disadvantaged group in the society? Probably yes.

According to Human Rights Solidarity (2005), “The genesis of prisons lies in the concept of curtailing the freedom and liberty of movement of a person found to have violated the law of the land the physical structure of the prison, combined with certain archaic rules of management which still exist, completely shut them off from the outer world, turning them into small self-sufficient islands.” (<http://www.hrsolidarity.net/mainfile.php/2005vol15no05/>). In this respect prison inmates are deprived and discriminated group in the society. When society with full justice reserves the right to protect itself from the anti-social acts of criminals, it may not act so as to deprive even criminals of the free use of the mind (Scharf, 1981). If education is a right, then

education in prison is the act of a moral society that ought to be guaranteed to one of the least-advantaged, most vulnerable groups in our society. According to Winston Churchill (1910), how we treat inmates is a measure of our own morality (<http://www.abelard.org/abstracts/quotes5-churchill.php>).

2.0 EDUCATION IN THE PRISON

Literature indicates not only the likelihood of prisoners staying out of prison after release, but a more positive environment and less violence on the part of prisoners involved in educational programs during the imprisonment. According to Klein and Tolbert (2007), incarcerated adults have among the lowest academic attainment and literacy rates and the highest disability rates in U.S. society. Most inmates re-enter society with no more skills than they had when they entered prison. Frustrated by a lack of marketable skills, burdened with a criminal record, and released into the community without transitional services or support, many return to illegal activities. Using education participation as the major variable, "The Three State Recidivism Study" conducted by the Correctional Education Association for the United States in 1997 shows that "simply attending school behind bars reduces the likelihood of re-incarceration by 29%. Translated into savings, every dollar spent on education returned more than two dollars to the citizens in reduced prison costs" (http://www.bard.edu/bpi/pdfs/crime_report.pdf). In other words, given the large social costs of crime, even small reductions in crime associated with education may be economically important.

Stephens (1992) found that seventy nine percent of the total inmate population in New York State Maximum security prison were high school dropouts. Most inmates blamed poor socioeconomic conditions and poor role models as major reasons for their dropping out of school and for their criminal activity. Given that this is likely to reflect the situation of prison inmates everywhere, school based educational programmes could be among the beneficial programmes offered in prison. Nearly all studies show that the more schooling an imprisoned person receives, the less likely he or she is to get in trouble upon release (Taylor, 1992).

3.0 LOOKING AT OPEN SCHOOLING

The Open and Distance Learning (ODL) System brought in a paradigm shift from institution-led learning to own-time self-learning at a distance moving towards flexibilities and openness giving rise to alternative schooling, particularly the Open Schooling system. The National Institute of Open Schooling (NIOS), India----- the largest Open School in the world----- went through various transitions from 1979 onwards, becoming a full fledged institution providing education up to pre degree level to all who cannot or do not go to formal schools.

Following unique features of NIOS open doors to educational opportunities for all:

- Openness with respect to age and entry qualifications;
- Choice of courses / subjects of study from a wide range of academic and vocational courses and combinations;
- Choice of medium of instruction including several regional languages;
- Flexible examination scheme;
- Credit Accumulation and Credit Transfer facilitating self-directed pace of learning over a 5 year period.

The consequence has been a steady growth in enrolment in NIOS. It rose from 40thousand in 1991 to 290thousand in 2007. Since 1991, NIOS certified 128 3798 learners at Secondary, Senior Secondary and Vocational course level.

4.0 OPEN SCHOOLING IN THE PRISON

In Open Schooling, freedom to learn coexists with freedom of location. An inherent component of educational empowerment in the context of what to learn, when to learn and how to learn reflects a consideration of individual needs making Open Schooling available, accessible, affordable, acceptable and adaptable in prison settings.

4.1 Tihar Jail in New Delhi

The Tihar Jail Complex, New Delhi is one of the largest prison complexes in the world. It comprises of nine prisons with a total population of around 10,246 prisoners and one District Jail

at Delhi with a total population of around 1590 prisoners. In a year about 70,000-80,000 prisoners remain lodged in these prisons for different durations. This prison population has about 80% under trials.

Like any other part of the world, the Delhi Prison Administration realized the importance of correctional programmes in prisons and introduced different educational programmes. (<http://tiharprisons.nic.in/html/about.htm>). Given what Open schooling can offer, a study centre of NIOS was established inside Tihar Jail in 1994 for prison inmates who are youths, young adults wishing to study at secondary and senior secondary school levels. The number of prisoners enrolled in NIOS courses since then is 2494. Expenditure on fees for NIOS courses is borne by the Government. Study materials are provided by NIOS and note-books, pens etc. are provided free by the Jail Authorities.

A study was undertaken to develop a profile of prisoners enrolled with NIOS. Background data was gathered related to nature of offence for which they are in prison, last class attended, motivation, future plans, specific needs and performance in public examinations.

5.0 DATA SOURCE

The data sources were:

- A Background questionnaire administered to a group of available prison learners.
- NIOS data base for a cohort of prison learners taking admission in the session 2006-07.

Initially it was decided that background data for the cohort of prison learners selected from the NIOS database would be collected from the prison by administering the questionnaire. However, this could not be done as the prisoners were distributed across nine different jails in the prison complex. It was not possible to contact them together since civilians may not enter some jails. Permission was granted by Jail Authorities to collect background data from prisoners enrolled in NIOS in Jail 3 only who were enrolled in 2007-08 session. An authorized NGO 'Family Vision' helped collect this background data from the available group of NIOS prison learners in Jail 3 on a particular day. Hence two data sets of prisoners were analysed and the findings provide a glimpse about prison learners of NIOS.

6.0 TYPICAL PROFILE OF PRISON LEARNERS

The Background questionnaire could be administered only in Jail 3 to 25 available learners, all of whom were male. Analysis of data revealed the following.

6.1 Mother Tongue

Mother tongue is Hindi for all respondents, probably indicating that they are domiciles of the Hindi speaking belt of India. All had chosen Hindi as the medium of instruction in NIOS.

6.2 Parent's Education and Family Income (Fig 1; Fig 2)

Many parents (40% for father's education, 52% for mother's education) of prison inmates are illiterate. Studies have shown that there is a strong relationship between illiteracy and criminal behaviour. This probably substantiates the idea of inadequate family inputs resulting in criminal behaviour of their ward.

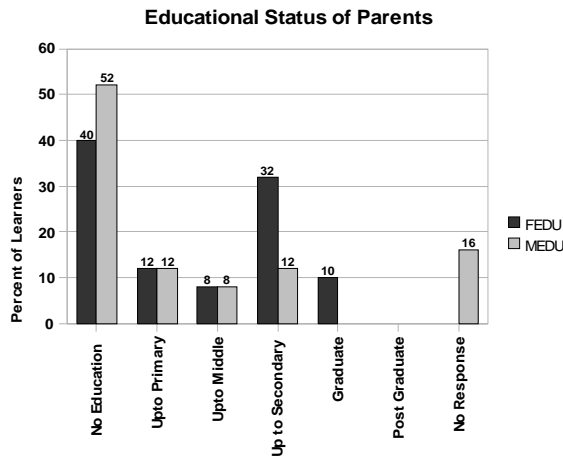
It is also well founded that education has a direct bearing on family income. 72% of the sample prison inmates come from low income group and according to the Annual Review 2008, Delhi Prisons majority male prisoners (85%) do come from the lower economic strata of the society.

6.3 Last Class Attended (Fig 3)

Majority (84%) of inmates did not complete Secondary level schooling -----only 16% did and have taken admission in NIOS at Senior Secondary level. This is in accordance to many studies elsewhere (Stephens, 1992; Sperazi, 1990; Sacramento County, 1994).

6.4 Reasons for Leaving Schooling (Fig 4)

Financial problems were among the reasons given for dropping out of school (68%). The other reasons given included dropping out because they wanted to work (28%), family reasons such as illness or death of one of the parents (8%), both of which can also be attributed to financial problems. A number of studies (Rumbergers, 2001; Stephens, 1992; Valverde, 1987) have



FEDU: Father's Education MEDU: Mother's Education

Fig 1:

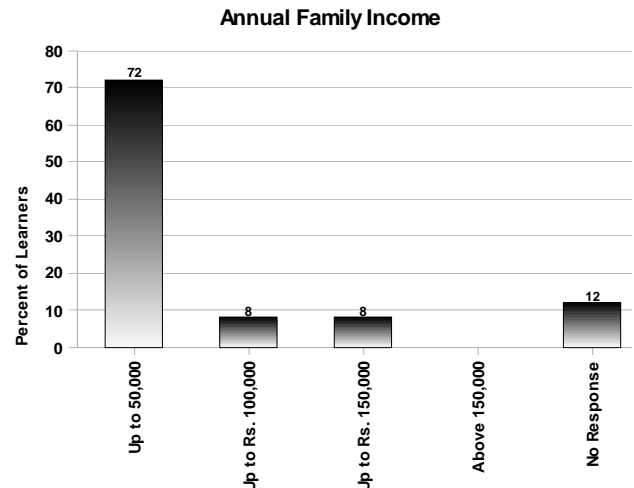


Fig 2:

consistently found that socioeconomic status most commonly measured by Parent's Education and Income is a powerful predictor of school achievement and dropout behaviour. Further, in this sample 4% indicated dropping out because they did not like school, while 4 % stated they had to leave schooling because of imprisonment.

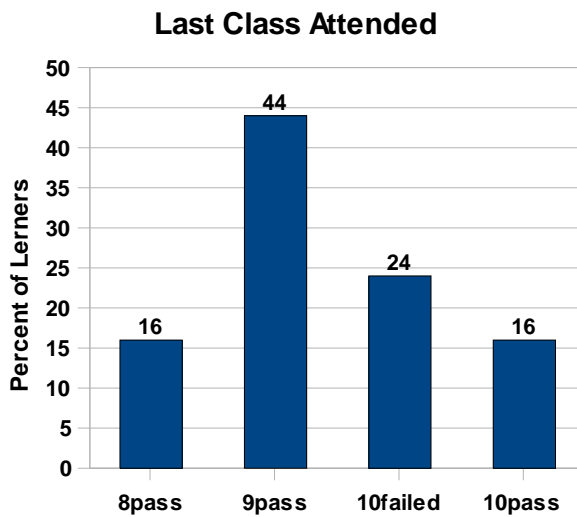


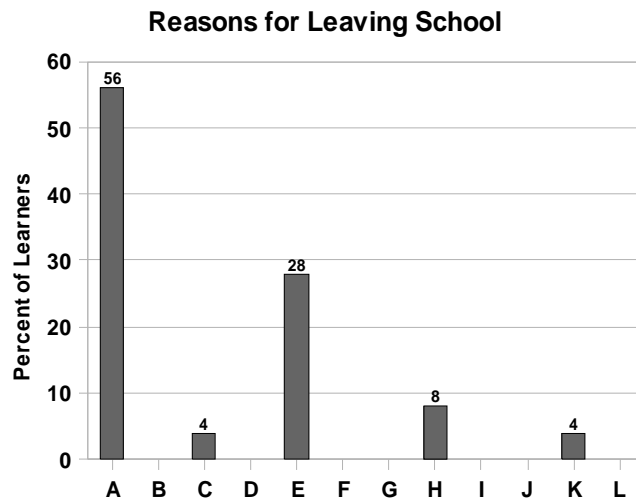
Fig 3

6.5 Offence wise profile (Fig 5)

According to the Annual Review 2008, Delhi prison, male under-trial prisoners are around 75.2%, facing trials in Indian Penal Code (IPC) Offences. The remaining is facing trial in Local and Special Law cases. In the IPC category, murder tops the list, followed by dacoity, theft and rape. For the group of NIOS prison learners, murder (44%) again tops the list.

6.6 Detention period in the Prison (Fig 6)

The detention period for 60% of this group of NIOS prison inmates till 22 Feb 2008 when the data was collected has been 12-24 months indicating that Jail Authorities initiated early correctional action by allowing them to take opportunity of NIOS. 12% have been detained for more than 60 months.



- | | |
|---|--|
| A: Financial problems | B: Did not do well in school |
| C: Did not like school or was bored in school | D: Expelled from school or asked to leave |
| E: Wanted to work | F: Wanted to go into the military |
| G: Personal illness, disability | H: Family reasons such as the illness/death of one of your parents |
| I: School not available or not accessible | J: Did not feel safe in school |
| K: Sent to jail, prison, or detention center | L: Other? |

Fig 4

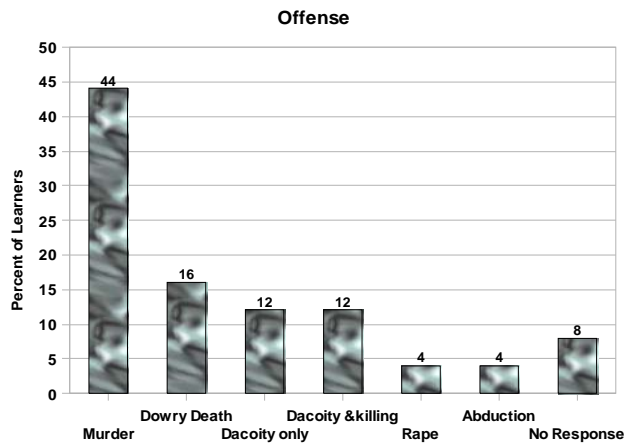


Fig 5

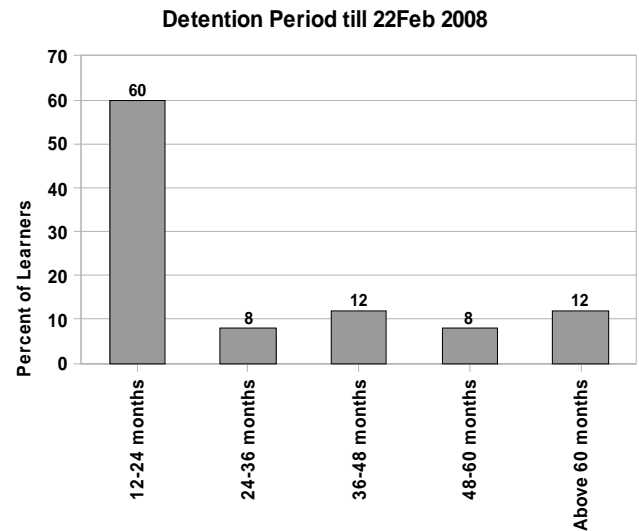


Fig 6

6.7 Motivation to Study in the Prison (Fig 7)

Self motivation propelled 60% prison learners, to join NIOS. Such self-directed learners' motivation can be attributed to various internal incentives, such as need for self-esteem, curiosity, desire to achieve and satisfaction of accomplishment (Knowles, 1984). Also stigma, caused by both criminal history and financial barriers, force many to find alternative ways to adapt to the world to fit in and be successful (Harrison, 2004). Probably for these prisoners NIOS is the alternative. For others, motivation came from the jail authorities (20%), other jail inmates (12%) and NGO's (8%). It is believed that influences such as religion, myth, ethnicity, and regional and peer group norms are powerful motivational forces (Wlodkowski & Ginsberg, 1995).

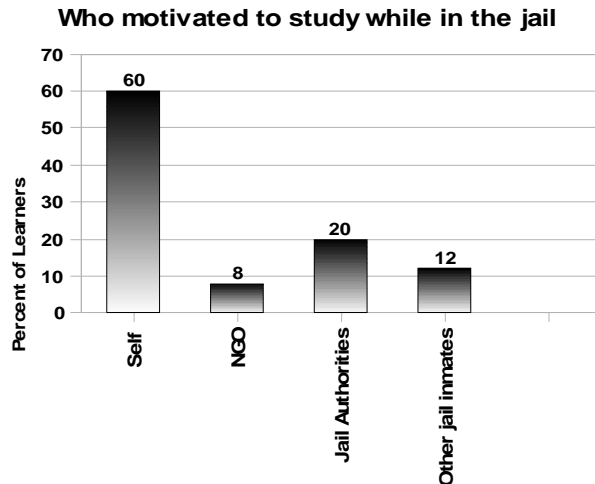


Fig 7

6.8 Help/assistance to study in Prison (Fig 8)

The prison learners get help from different people to study such as Jail Authorities only (36%) ; Subject Experts working with NGO's (28%); educated peer jail inmates and Jail Superintendent (16%); Jail Superintendent and NGO's (8%); Jail Superintendent and Library In-charge (8%). Only 4% self learn with no help. Thus, a positive attitude is reflected in the proactiveness of the Jail Superintendent providing assistance to these learners. Blake and Sackett (1975) found that the success of a prison education program is influenced by the values and attitudes of prison's governing officials who determine whether the prison is a place of punishment or rehabilitation.

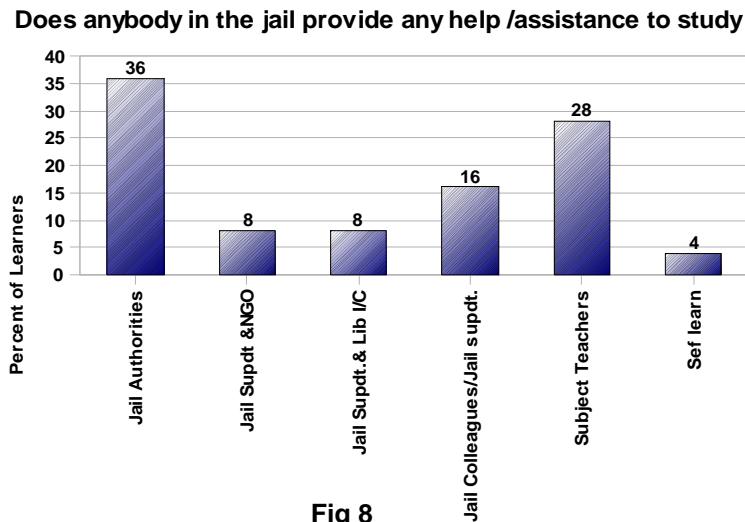


Fig 8

6.9 Facility of Personal Contact Programme (PCP) (Fig 9)

In any ODL system, the PCP facility is an integral part of supporting learners. The Tihar jail study centre is also expected to make arrangements for PCPs as stipulated by NIOS. Jail authorities have designated a space in Jail 3 for NIOS activities along with a library facility. As mentioned earlier, prison inmates are distributed in different jails inside the complex. Those in jails other than Jail 3 may not be able to take advantage of the PCPs held there. Hence 24% responded sometimes while 12% said not available. But 64% did avail the PCP facility.

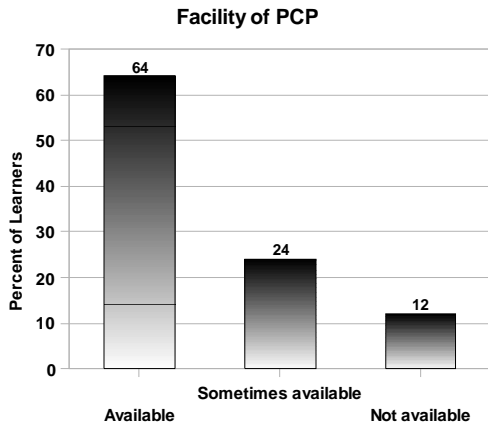


Fig 9

6.11 Future Plans (Fig 10)

According to Vacca (2004), inmates who participate in educational programs do so because they see clear opportunities to improve their capabilities for employment after being released. This is clearly indicated in this case also where for 56% learners getting employment is a priority along with or without further studies. For 32% further studies are a priority while 24% remains undecided about their future.

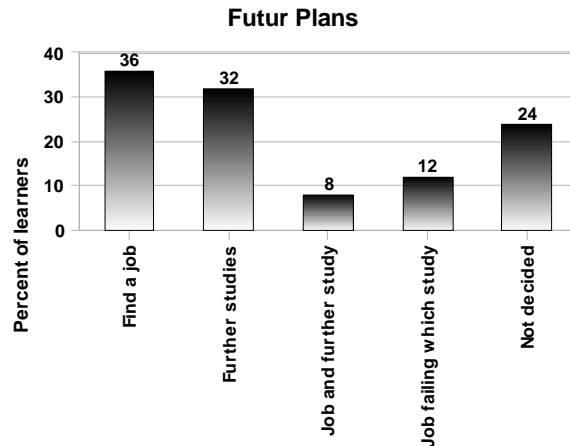


Fig 10

6.12 Usefulness of the NIOS programme.

100% indicated that the NIOS programme is very useful. Some of the comments are as follows:

- * "NIOS provides an opportunity to continue studies in the prison which was long discontinued outside the prison."
- * "This opportunity of education inside the prison forced me to get back to studying."
- * "While under detention, I can spend time usefully by studying through NIOS."
- * "Studying through NIOS provides hope for a better future."

All the respondents thanked NIOS and the Jail Authorities for this opportunity as they felt that they were not left behind just because they are behind the bars.....a sentiment well expressed to point out contribution of NIOS towards social justice in education.

7.0 AGE PROFILE (Fig 11)

The Annual Review 2008, Delhi Prisons states that majority of male under-trial offenders were in the age group of 21-30 years. This was evident from the analysis of both sets of data of prison learners. It shows that 45% are in the age range 20-23 years and another 45%, in the range of 24-31 years. In other words, 90% of prison learners are young adults with their lives ahead of them. Becoming an adult in today's world is an exciting time for many, yet it can also be a difficult road in today's changing labour market and shifting social and cultural landscape. Sometimes even well-equipped young adults struggle. Add a criminal past and the struggles only multiply (Uggen et. al., 2005).

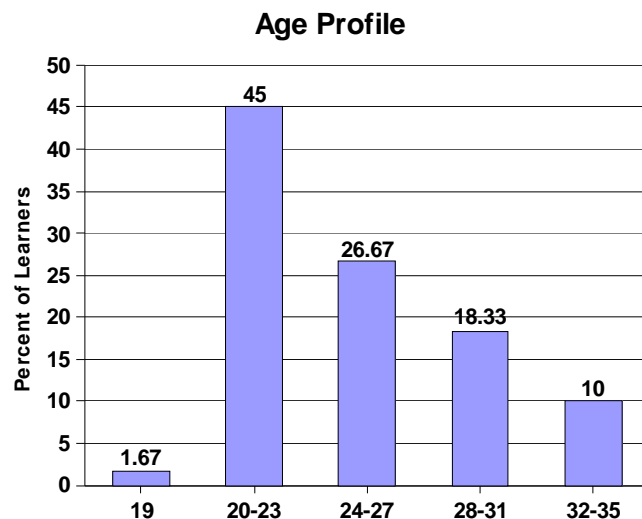


Fig 11

8.0 ACADEMIC INCLINATION AND PERFORMANCE

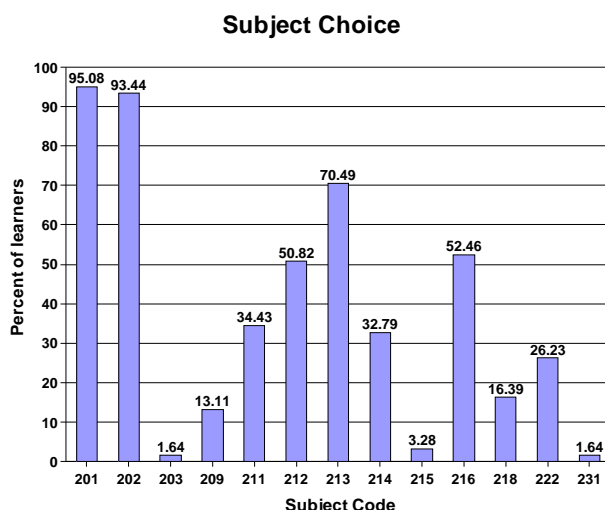
For this part of the study, the enrolment data available in the NIOS data base for a cohort of 60 prison learners, admitted at the secondary level in the academic session 2006-07 were considered.

8.1 Choice of Subjects (Fig 12)

Unlike formal school, there are no prescribed courses or subjects of study in NIOS at the Secondary level. A learner can choose any five subjects from among 23, with one language subject being a compulsory requirement for certification.

The preference of Subjects indicated by this cohort of prison learners highlights that the majority chose Hindi (95%) and English (93.4%) as two major subjects along with 3 other. Social Science (70.5%), Home Science (52.5%), and Science and Technology (50.8%) seem to be the order of preference for other subjects. Almost equal percent (34%) of learners chose mathematics or economics or sometimes both subjects. 'Psychology' has been the preference for a reasonable percent (26.3%) of learners.

Analysis of data for the total population of learners in NIOS shows that learners in NIOS prefer to choose same subject combination at secondary level year after year...very few choose subjects other than the traditional ones. In the prison environment, the situation was also not expected to be different. However, given the constraints of resources in prison, there are likely limitations in exercising this choice.



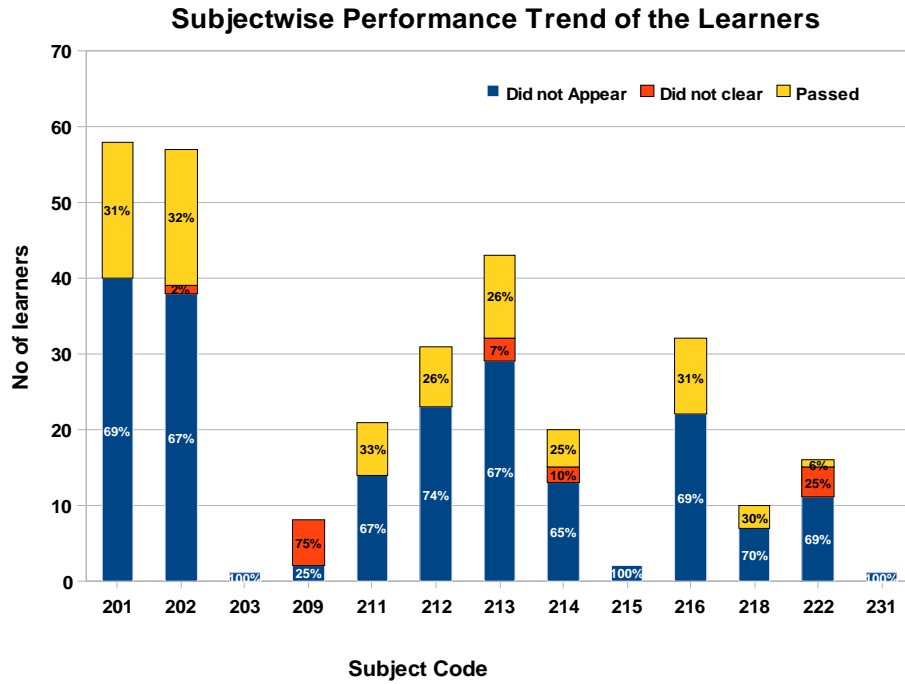
Subject Code:
 (201) Hindi (202) English (203) Bengali (209) Sanskrit
 (211) Mathematics, (212) Science and Technology (213) Social
 Science (214) Economics (215) Business Studies (216) Home
 Science (218) Typewriting* (English) (222) Psychology (231) Nepali

Fig 12

8.2 Performance (Fig 13 & Fig 14)

Academic performance is the key measure of success of any school programme. In NIOS, examinations are conducted twice a year and learners get nine chances to fulfil the requirements of certification at the secondary level. It was found that this cohort of prison learners who were enrolled in August/September 2006 did not appear in the April 2007 examination. In the October/November 2007 examination, out of a total of 60 prison learners only 20 appeared. Some appeared in all 5 subjects chosen and some appeared in a few of the subjects chosen. Although less than 50% of these 60 learners in any subject appeared in the examination, it is seen that all those who appeared in the subject of Hindi, English, Mathematics, Science and Technology, Home Science and Type Writing (Eng), were able to pass. It appears that most learners may not

have been ready to appear for examination.



(201) Hindi, (202) English, (203) Bengali, (209) Sanskrit, (211) Mathematics, (212) Science and Technology (213) Social Science (214) Economics (215) Business Studies (216) Home Science, (218) Typewriting* (English), (222) Psychology, (231) Nepali
Fig 13

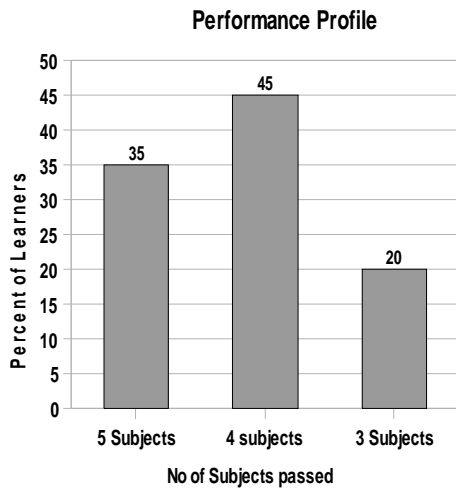


Fig 14

Further, the overall performance profile of these 20 learners depicted that 35% of them were able to pass in all 5 subjects and hence become eligible for certification at secondary level. The total percent of learners in the overall population who appeared in the October examination and became eligible for certification is 37.8% only, which indicates that performance of the prison learners is in no way different from others outside the prison.

The credits of 45% passed in 4 subjects and 20% passed in 3 subjects respectively get accumulated for these learners to complete another subject or two subjects to fulfil the certification criteria. This flexible scheme of examination along with the facility of credit accumulation undoubtedly allows self paced study and sustenance of motivation.

9.0 CONCLUSIONS

Equality of access should be at the core of any strategy for social justice and in this context provision of flexible education widens access and improves equal opportunities. This premise supports that NIOS with its flexibilities and openness is playing a critical role in providing educational opportunities in the prison where a large proportion of the inmates are young adults

having dropped out of school due to poor socioeconomic status and becoming a victim of crime. Given the educational opportunity in the prison, many get self motivated to participate and see clear opportunities to improve their capabilities for success after being released. Education can thus afford such prisoners the opportunity to demonstrate their commitment to a positive enterprise. However, as cited by Kerka(1995), the challenge in providing effective educational programmes in the prison is compounded by the uniqueness of prison culture: routines such as lock-downs and head counts, inmates' hearings or meetings with lawyers, all disrupt regular studies and attending contact classes (Shethar 1993). Tutors and learners are sometimes locked in a room and monitored by guards. Peer pressure may discourage attendance or achievement (Haigler et al. 1994). In addition, the prison environment is unlikely to be rich in verbal and sensory stimuli (Paul 1991). Critically for prisoners, as opposed to distance learners in the community, they have limited power to change their environment and are subject to many influences beyond their control. In spite of this, there are signs of promises in NIOS----- the academic performances of many are found to be as good as those outside the prison. When studies (Wilson et al., 2000) have found that there is a positive correlation between academic achievement and lower recidivism rates among released inmates, should NIOS not look for more efficient and effective instructional strategies and programs for all the prison learners? Probably yes. Future research should seek to identify and examine the effectiveness of various methodologies to teach incarcerated adults (Foley and Gao, 1994). The limited resources in prison environment to access educational opportunities call for efficient and effective ODL instruction. It is necessary to recognise the importance of appropriate use of ICT to learning in the prison. Fears around using technology in prison should be clearly identified and addressed. Also the diverse instructional needs of incarcerated adults may be complicated by a long history of academic failure, therefore calling for effective and highly motivating strategies. Considering these, Open Schooling, through educational opportunities in the prison, can afford individuals and groups isolated from others, fair treatment and a just share of the benefits of society leading to social justice although in this case, the social return to education may exceed the private return by way of resulting in the emergence of a socially responsible individual.

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