

SPEECH OF HON'BLE MR. JUSTICE RAJESH BINDAL
JUDGE, PUNJAB AND HARYANA HIGH COURT,
CHANDIGARH FOR PROMOTING PEACE CLUBS

SPEECH

I congratulate the volunteers of Yuvsatta, officials of Education Department of Chandigarh Administration, Indian Council of Gandhian Studies and management of KB DAV-7 for promoting the concept of PEACE CLUBS in local schools and colleges.

I am also thankful to the organisers for giving me an opportunity to be with you at this peak time of heat but on a subject the aim of which is to bring 'coolness ` The Peace'.

When Mr. Chatrath discussed with me regarding the valedictory address, I happily agreed as I thought this will give me also an opportunity to study the subject and meet new friends.

I am not an expert on the subject. During the course of training programme, the experts have already addressed and educated you in various ways and means how to further educate the children and especially the students to keep peace in the society.

Peace is a term that most commonly refers to an absence of aggression, violence or hostility, but which also represents a larger concept wherein there are healthy or newly-healed interpersonal or international relationships, safety in

matters of social or economic welfare, the acknowledgement of equality and fairness in political relationships and, in world matters, peacetime; a state of being absent of any war or conflict. Reflection on the nature of peace is also bound up with considerations of the causes for its absence or loss. Among these potential causes are: insecurity, social injustice, economic inequality, political and religious radicalism, and acute nationalism.

Peace and development

One concept or idea that often complements peace studies is development. Economic, cultural, and political development can supposedly take “underdeveloped” nations and people out of poverty, thus helping bring about a more peaceful world. As such many international development agencies carry out projects funded by the governments of industrialized countries, mostly the western, designed to “modernize” poor countries.

The concept of peace has been linked to the wide idea of development, assuming that development is not the classical pursuit of wealth. Peaceful development can be a set of many different elements such as good governance, healthcare, education, gender equality, disaster preparedness, infrastructure, economics, rule of law, human rights, environment and other political issues. The measuring of development uses not only GDP but also numerous measures such as:

Literacy rates
Life expectancy
Gini coefficient
Per capita income
Maternal survival rate
HIV infection rates
Number of doctors per capita
Human Development Index
and others

It is really a good idea to start peace clubs in schools and colleges and further to educate the teachers to be the torch bearer in this process. Though the programme is called “TEACHERS-THE PEACE BUILDERS' TRAINERS TRAINING PROGRAMME”, but I would not call it a training. The teachers are not required to be trained to teach anything. Training anything would be guiding anybody to do a thing repeatedly in the same manner following a beaten track like bogies in a train follow the engine. It would be educating the teachers further to spread this message of peace by adopting new ways and means to the students.

In the hands of teachers is the future of coming generations. When a child goes to the school, it is like a raw clay. At the early stage of his education, it is the teacher only who moulds personality, behaviour and other habits of a child. The students are more effected with the words of their teachers, as even against their parents. As we normally see, that they will

even join the issue with their parents on something, which has been told by a teacher by asserting that his teacher was right. Good amount of time during schooling is spent in school. Dr. Kalam estimated the same to be nearly 25,000 hours. This is quality time as at home the time spent includes for sleeping and other miscellaneous activities. Why we need a teacher for all this. I think the answer is there in the following quote:

“Vices can be learnt even without a teacher
but we need teacher for good things.”

“To teach is to learn twice.”

It is a great idea that the students and children have been chosen to spread the message of peace. The child once educated and informed about the positive and negative points of this will not only practise the same throughout his life but will also try to change others. We are seeing advertisements regarding petroleum conservation on television regularly where a question of the child was an eye-opener for the father to conserve petrol.

The idea of educating the students in the schools should not be limited to the members of peace clubs. Rather, the teachers, who have now been educated as peace builders should further educate the members of peace clubs to spread this message of peace not only in the school or college but also in the society.

In Chandigarh, average literacy is 81.9% as against national average of 64.8%. Considering the literacy rate and

small area of Chandigarh, I think we can achieve very good results. We should try to set up peace clubs in all schools and colleges.

Peace is in fact directly related with education. Normally once a child goes to the school, he is taught many things and peace is presently considered to be incidental therein. It is good that it is now being given special importance.

Education itself makes a man peace loving, though there may be some exceptions, as it gives you enough wisdom to think as to what is right and what is wrong. An educated man normally thinks about the pros and cons of an action before it is taken, whereas an illiterate person may act sometimes without even realizing after effects thereof.

Hon'ble the Supreme Court on 4.2.1993 in famous case of Unni Krishnan v. State of A.P., held right to education to be a fundamental right and without education being provided to the citizens of this country, the objectives set forth in the Preamble to the Constitution cannot be achieved. Reference was made to '*Neethishatakam*' by Bhartruhari (First Century B.C.) in the following words:

“Translation

Education is the special manifestation of man;

Education is the treasure which can be preserved without the fear of loss;

Education secures material pleasure, happiness and fame;

Education is the teacher of the teacher;

Education is God incarnate;

Education secures honour at the hands of the State, not money,

A man without education is equal to animal.”

The right to education which is implicit in the right to life and personal liberty guaranteed by Article 21 must be construed in the light of the directive principles in Part IV of the Constitution. So far as the right to education is concerned, there are several articles in Part IV which expressly speak of it. Article 41 says that the “State shall, within the limits of its economic capacity and development, make effective provision for securing the right to work, to education and to public assistance in cases of unemployment, old age, sickness and disablement, and in other cases of undeserved want”. Article 45 says 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.” Article 46 commands that “the State shall promote with special care the educational and economic interest of the weaker sections of the people, and, in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation”. Education means knowledge- and “ Knowledge itself is power.”

While commenting upon the fact that even though time limit of 10 years was fixed in Article 45 of the Constitution and nothing having been done even in more than four decades,

it was held that every child has a fundamental right to free education upto the age of 14 years.

Even though Hon'ble the Supreme Court in 1993 held the education to be a fundamental right, the Parliament added Article 21A in the Constitution only in the year 2002, i.e., after 10 years, providing that “State shall provide free and compulsory education to all children of the age of 6 to 14 years in such manner the State may, by law, determine”.

The aforesaid amendment limited the education only from the age of 6 to 14 years, though the Supreme Court said it is upto the age of 14 years. It was further qualified that any law to be framed by the State. Even thereafter, 7 years have passed and about 4-5 draft legislations have already been prepared, but no one has still been finally enacted which shows the concern of the State to provide education to all.

Opposite to 'peace' is 'war'.

One can imagine the effects of war. It may be loss of thousands of valuable lives, loss of sole bread earners of numerous families and lifting the shelter of a father. Daily we are reading in newspapers what is happening in Pakistan, Afganistan, Iran, Sri Lanka and even in J&K. Money is spent only for defending the war because they have not been able to decide among themselves to maintain peace in the nation. Sometimes the effort is to disturb the peace in the neighbourhood. Weapons of mass destruction are manufactured

and then used. The war only takes lives but even adds to pollution, global warming and other side effects, besides damaging the mother earth. If that money, which is spent in defending our borders, is spent on development activities or upliftment of the lower segment of our society, that will automatically result in equitable distribution of resources, which ultimately will bring peace in the society as the gap in 'haves' and 'haves not' will be reduced.

Immediately after World War-II, Article 9 was added to Japanese Constitution on 3.5.1947, which talks about peace and peace only. The text thereof is as under:

“We, the Japanese people,..... proclaim that sovereign power resides with the people.....” and

“We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationship, and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honoured place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want.”

Japanese peace activists are going global with their Article 9 campaign, inspired by the 1999 Hague Appeal for Peace's call that “every Parliament should adopt a resolution

prohibiting their government from going to war, like the Japanese Article 9,” and the 2006 Vancouver World Peace Forum's declaration that “We call for governments to constitutionally renounce war (e.g. Japan's Article 9)”. In order to break the cycle of war and violence worldwide, the Global Article 9 Campaign to Abolish War encourages the peoples and governments of the world to adopt peace laws similar to Article 9 in every country, and work towards demilitarization and a culture of peace. The campaign articulates nine mechanisms for peace that include reductions in military spending, promotion of nuclear-weapon-free zones, ending violence against women, supporting conflict prevention, and mitigating the negative environmental impact of the military.

International civil society organizations have recognized the global impact of Article 9, including its relevance in regards to human rights, disarmament, nuclear weapons abolition, conflict prevention, development, the environment, globalization, UN reform and other global issues.

“There never was a good war nor bad peace”.

On the other side, peace is related to love and affection. The students have to be taught as to how they have to live in love and affection. Sometimes the reason for even minor fights or disputes is the lack of tolerance adjustability, which is the cause of anger, resulting in fight. The root cause of anger and the ways and means to control the same should be taught to the children. We are seeing many examples of people taking law

into their own hands on spur of a moment in anger without realizing the effects thereof, such as destruction of property even in cases where someone had died in a road accident. The memories of outraging the modesty of a teacher in Delhi on a false sting operation by a TV channel are still fresh in our memories. I think a teacher, who had passed through the trauma, cannot forget the same throughout her life. She cannot possibly restore back her honour. Such incident needs to be avoided.

There is an old saying that an empty mind is a devil's workshop. If we keep our students and children in schools busy with some activities, they will not have the time to think about other things. We are seeing the invasion of electronic media and every one of us is well aware of the kind of stuff which is shown on TV. More and more sports and cultural activities should be promoted in the schools. They should be taken to educational tours, should be involved in various social activities, like National Service Scheme, visit to old age homes, blind schools, Mother Teresa's orphanage so that they are also sensitized with the problems of others. The children in schools should be discouraged to play video games in which primarily all what is there is destruction. Once I saw an English movie with a warning "*For Adults- 18 plus*" and what was there in the movie was violence, but in our country the movies with third degree violence are even available for a small child to see.

Though I am deviating from the subject, but still I consider this also to be my duty to add few words about another alarming issue for which we have to sensitize every one and that is “water”. Though $3/4^{\text{th}}$ of earth surface is water, which is enough to cover the earth with 3000 meters of depth, out of it only 2.6% or 2.7% is fit for drinking. Our country uses about 86% of this water for drinking or irrigation purposes. The only natural source is rain. The level of water in underground sources is going down day by day. We have to educate the people about the optimum use of water and no tolerance level for its wastage.

Similar is the position with regard to environment. Everyone is aware of the level of pollution and the reasons therefor. This is also a matter of concern which needs attention.

Though it is a part of curriculum in the schools, but, in my opinion, the importance of water is also required to be taught.

I think I have taken a lot of your time and now end with a quote:

“When the power of love
overcomes the love of power,
the world will know peace.”

Thank you.