

## Open & Distance Education as a body of the Human Right to education

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### Abstract

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In the mid-20<sup>th</sup> century, the United Nations, in Article 26 of the Universal Declaration of Human Rights, proposed that education be voted as a pivotal human right, highlighting its importance for humans' well-being and societies' development. However, Open and Distance Education (ODE) has been ensuring citizens' access to education within any socio-financial conditions, since the 19<sup>th</sup> century. Being the pillar of the educational process in cases where people face objective difficulties, discrimination or exclusion, ODE continuously promotes Democracy and equity, providing people with educational opportunities under any circumstances. Hence, this short paper, through a literature review, aims to prove the interconnection between ODE principles and the ideas deriving from the paragraphs of Article 26. Findings demonstrate that ODE core values are in harmony with the proposals of Article 26 and that both of them have been formed upon a mutual basis.

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**Key – Words:** Open and Distance Education, Universal Declaration of Human Rights, educational opportunities, Democracy, equity, discrimination

### 1. Introduction

About 75 years ago, the Universal Declaration of Human Rights (United Nations, 1948) raised the issue of education being considered a fundamental human right (Article 26), as it has always constituted the cornerstone of development and growth in any social context (Papadakis, Bitsis, & Lionarakis, 2002). Nonetheless, as early as the 19<sup>th</sup> century, ODE ensured the provision of educational opportunities to people who were deprived of them and continues to do so to this day, steadily promoting Democracy and equity in education before the Right to Education was officially established (Lionarakis, Manousou, Hartofylaka, Papadimitriou, & Ioakeimidou, 2020; Cunningham, 2017).

Taking the above into consideration, this paper aims to examine the interrelation between the ODE principles and the recommendations of Article 26, which deal with education as a human right. To serve this purpose and in correspondence with the paragraphs of Article 26, the rest of the paper is organized as follows: Section 2 refers to the accessibility and openness in (Open and Distance) education. Section 3 is dedicated to the ways ODE enhances respect among people and nations, while – in section 4 – parents' authorization in (Open and Distance) education is analyzed. Finally, in section 5, the most important findings are presented and briefly discussed.

### 2. Accessibility and openness in (Open and Distance) education

The first paragraph of Article 26 (United Nations, 1948) relates to accessibility, which should characterize education at each of its levels, as well as the mandatory nature basic education should generally have. However, the traditional educational system fails to respond to these prerequisites, as it excludes a large share of citizens from the educational procedure. For example, people who have exceeded the predetermined age range for education (over 25 years), reside in isolated sites, or belong to vulnerable social groups (refugees, disabled, incarcerated, etc.) don't have sufficient access education to at any educational level (Papadakis et al., 2002).

These inequalities and gaps are being filled by ODE, which supports each human's right to education, without setting limits related to specific age range, location, cultural and financial background, sex, and physical condition (Farahami, 2012; Papadakis et al., 2002; Hussain, n.d.).

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As Ofoegbu (2010) states, according to Unesco (2002), ODE – by including all citizen groups and supporting life-long learning – is the only option for those being excluded from traditional education for the aforementioned reasons.

More specifically, ODE – when financial support is provided by the state – is possible to be the main choice for free access to basic education when students have difficulty commuting to school due to long-distance or health problems and disabilities (Sakkoula, 2021; Siaciwena&Lubinda, 2020; Welch, 2015). These cases show the scope of ODL, which has the dynamic to meet all students' needs from primary to tertiary education and doesn't only concern the latter, as it is often claimed (Siaciwena&Lubinda, 2020; Ofoegbu, 2010).

On the other hand, ODE can also serve as a second chance for those who are deprived of their rights, such as women in developing countries (Ofoegbu, 2010) or prisoners with the ultimate goal of their technical and professional training and their reintegration into society and labor market (Antonopoulou, Giannoulis, Theodorakopoulos, & Halkiopoulos, 2022; Pandey, 2021). ODE is the only educational option, which can ensure that all people get equal opportunities, without exclusions and discrimination, and is always based on their preferences, expectations, and capabilities (Unesco, 2002 as cited in Ofoegbu, 2010).

### **3. Promotion of human rights, individual freedoms, and intercultural principles in ODE**

The second paragraph of Article 26 (United Nations, 1948) begins with the contribution of education to shaping the citizens' personalities so that they respect all human rights and freedoms at the individual level. It also extends to the group level, highlighting the importance of enhancing intercultural principles, as well as supporting good relationships among the nations worldwide and hence, maintaining world peace. The ODE principles are directly linked to these suggestions.

Primarily, ODE is characterized by flexibility, emphasis on self-active learning, and – as it has already been mentioned – equality in educational opportunities, without exceptions (Farahami, 2012; Lionarakis, 2008; Papadakis et al., 2002). Consequently, it contributes to personality development and strengthens intercultural principles, such as respect, acceptance, and empathy, preparing citizens to coexist in harmony with people with a different cultural background in the globalized societies of the 21<sup>st</sup> century (Sakkoula, 2021; Sakkoula&Kitsiou, 2021; Papadakis et al., 2002).

From a wider perspective, it could be assumed that developing people's personalities in this way has social implications and is interconnected with the development of favorable relationships among nations. ODE, through the extended ICT use, breaks the barrier of geographical borders, acquires an international and unifying nature, and promotes interactions and cooperation among institutions and students of different countries and groups (Ribeiro, 2016). At the same time, the openness and accessibility that rule ODE allows all people to improve their educational level and, as a result, their personal as well as their country's living standards (Ofoegbu, 2010). Consequently, the creation of better conditions and the democratization of education through ODE is possible to lead in the long run to democratization and reconciliation among nations worldwide, augmenting similarities and reducing differences (Sakkoula&Kitsiou, 2021; Kawachi, 2008).

### **4. Parental engagement in children's education**

According to the third paragraph of Article 26 (United Nations, 1948), parents retain the right to choose the kind of education their children will get. Although many countries have agreed to and signed the Universal Declaration of Human Rights, they don't follow this proposal. For example, in Greece, children's attendance from kindergarten to high school is obligatory based on law, while non-compliance with it leads to two years of imprisonment of the parents (Government Gazette A.246 / 10.12.21). On the contrary, as McDonald and Lopes (2014) and Welch (2015) state, in countries where this recommendation is recognized and implemented, parents can choose the way their children are going to be educated, including ODE, homeschooling, or a combination of both.

As far as the ODE principles are concerned, these function supportively regarding the parents' right of choice. ODE – when preferred by parents – takes into serious consideration their views, while forming educational aims and policy (Farahami, 2012). Furthermore, it offers a plethora of learning opportunities and therefore, it enables parents to choose the program they consider more appropriate to their expectations and their children's needs (Welch, 2015).

## 5. Discussion

In this paper, an attempt was made to make a correlation between the paragraphs of Article 26 (United Nations, 1948) and the principles of ODE. It seems that ODE, being in contrast to traditional forms of education, responds to the proposals of all 3 paragraphs of Article 26. Initially, ODE is characterized by democracy and justice, as it ensures equal access to education, but the development of students into higher educational levels is left solely to their abilities (Antonopoulou et al., 2022; Ofoegbu, 2010). Next, ODE recognizes the value of the individuals in society as a whole. Thus, by placing emphasis on cultivating virtues such as respect, acceptance, and empathy, it ends up collectively influencing society and potentially conserving friendly relations at the international level (Sakkoula & Kitsiou, 2021; Kawachi, 2008). Finally, although ODE supports the right of parents to engage in educational options for their children (Farahani, 2012), it faces restrictions, depending on the legal framework of each country. Legislators themselves deprive parents of this right, with few exceptions and only in cases, there are psychological and/or physical problems, as well as in cases of severe learning difficulties (Welch, 2015).

Overall, dealing with the correlation attempted from an inverse point of view, the proposals of Article 26 are diffused throughout ODE and could be partially considered to be its characteristics. ODE, by combining the Distance Education methodology and the openness policy, strengthens the freedom of choice, interacts with the ideas of Article 26, and upholds human rights in education in all its forms (Kawachi, 2008; Lionarakis, 2008).

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