

Is Education a Right or an Obligation

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Abstract

Background: This article explores the dual nature of education as both a fundamental human right and a civic obligation. It examines legal frameworks, international conventions, and practical challenges in ensuring access to quality education. Emphasizing the balance between individual freedom and social responsibility, the paper highlights the role of the state, society, and families in implementing compulsory education. It concludes that education is not merely an opportunity, but a shared duty essential for democratic development and social progress.

Keywords: Right to Education; Civic Responsibility; Compulsory Education; Human Rights; Legal Frameworks; Social Equity; Educational Access; State Obligation; Parental Responsibility

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How to cite this article: Shokirovich SS. Is Education a Right or an Obligation. SDES-IJIR; 2025; 6-2: 1059-1063

Submitted: 25 –April- 2025; **Accepted:** 03-May-2025; **Published:** 08-May-2025

Introduction

Education is one of the key social institutions that plays a decisive role in human life. It is essential not only for individual development, but also for the social, economic, and cultural advancement of society. Educated individuals are not only knowledgeable, but also conscious, responsible, and active citizens who participate meaningfully in public life. Therefore, it is natural to view education as a fundamental need and a tool for personal growth for every individual.

The right to education refers to each person's ability to access quality learning under equal conditions. However, within this right arises an important question: Is education solely a right, or is it also simultaneously an obligation? Education is not only a matter of personal growth, but also involves social responsibility. From this perspective, analyzing the relationship between the right to and the obligation of education, and examining how this is interpreted in the modern era, holds great relevance.

The right to education is an integral part of the human rights system and one of the key instruments that ensures an individual's full participation in social life. It is seen not only as a means of individual progress but also as a vital factor in building a stable society. Education plays a crucial role in shaping human thought, moral values, and a sense of social responsibility. Therefore, recognition and protection of this right have become a top priority in international law.

Article 26 of the Universal Declaration of Human Rights, adopted by the United Nations in 1948, emphasizes that every person has the right to education: "Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory." This article underlines that access to education must be equally ensured for all. Furthermore, the Declaration notes that education must promote respect for human dignity and rights, and foster tolerance and friendship among nations.

This right is further reinforced internationally through the UN Convention on the Rights of the Child and the

International Covenant on Economic, Social and Cultural Rights. Article 28 of the Convention on the Rights of the Child guarantees the right to education for all children and mandates states to take necessary measures to fulfill this right.

Materials & Methods

This article employs a qualitative, doctrinal research methodology to analyze the dual nature of education as both a human right and a civic obligation. The research draws primarily on international legal documents, including the Universal Declaration of Human Rights, Convention on the Rights of the Child, and International Covenant on Economic, Social and Cultural Rights, alongside national legislation such as the Constitution of the Republic of Uzbekistan and the Law “On Education”. Secondary sources include scholarly works by legal and educational theorists from Uzbekistan and abroad. Comparative analysis is used to assess practices in countries like Germany and Russia. A literature review of national and international studies supports the theoretical foundation. The study also interprets legal norms in their practical application by referencing administrative codes and statistical data from institutions such as UNICEF and the ILO. The article synthesizes these materials to form a comprehensive and interdisciplinary perspective.

Discussion

However, in contemporary pedagogical and legal theory, there is a growing tendency to interpret this right not only as a freedom but also as a social obligation. In recent years, strong debates have emerged over the essence of this right. Some scholars view education as a matter of individual freedom, while others frame it as a social duty owed to the broader community.

For instance, N.A. Toshmuhamedova in her research defines the right to education as constitutionally guaranteed by the state and as a fundamental instrument for ensuring social stability.[7] In her view, education is the legal foundation for societal progress.

D.T. Rahmonova continues this view, considering education not only as a right but as a civic duty. She especially emphasizes the parents’ responsibility in sending their children to school as a clear reflection of the interconnection between rights and duties.[8] This stance regards education not as a private benefit but as a social obligation.

Conversely, A. Miklashevsky advocates for education to be based on individual choice and freedom.[9] While he acknowledges that education might be compulsory for children, he highlights its essence as a matter of personal liberty.

Y. Tonkov, meanwhile, examines how compulsory education in Russia is grounded in both constitutional and pedagogical principles.[10] He describes education as a tool for preparing individuals to integrate into society, where the primary goal is the development of socially adapted citizens.

International perspectives also play a significant role in this discourse. A. Guilherme, drawing on the philosophy of J. Fichte, views education as a moral obligation aimed at self-realization and service to society. [11] He argues that in democratic societies, education should not only be seen as a freedom, but also as a civic duty.

Results

There is no single approach to the essence of education. On one side, there are those who view it as a symbol of individual freedom; on the other, some see it as a civic duty. In fact, modern legal thinking does not treat these perspectives as mutually exclusive but rather as complementary: the right to education is a harmony of freedom and responsibility.

In the Republic of Uzbekistan, the right to education is recognized as a constitutional right. Article 50 of the Constitution of Uzbekistan states:

“The state shall ensure the development of a continuous education system, its various types and forms, and the development of state and non-state educational institutions. The state shall create the necessary conditions for the development of preschool education and upbringing. The state guarantees free general secondary and primary vocational education. General secondary education is compulsory. Preschool education and upbringing, as well as general secondary education, shall be under state supervision. Inclusive education and upbringing shall be provided for children with special educational needs in educational institutions.”[1]

This article not only guarantees the right to education, but also reflects the state's duty to promote and enforce it as a mandatory obligation. It clearly expresses how the right to education is ensured in practice.

In addition, Uzbekistan’s Law “On Education” also provides a broad interpretation of the right to education. It highlights the role of education in developing human potential, guiding individuals toward professional careers, and

ensuring social equality. Therefore, the right to education is not merely a formal legal norm but a practical right that must be applied in everyday life. Based on this, the right to education should be viewed not only as a tool for personal development but also as a vital legal instrument for ensuring public welfare. It expands citizens' opportunities, strengthens democratic values, and paves the way for national progress.

Although education is recognized as a human right, it also holds significance as a social obligation — that is, a civic duty — for every citizen. In a society, it is crucial for every individual to be educated, literate, and conscious — not only for their personal benefit, but for the well-being of society as a whole. From this perspective, access to education should be regarded not only as a right, but also as a responsibility and duty.

A society without education cannot develop. The lack of morally and intellectually capable individuals, low public awareness, rising unemployment, legal violations, and criminal behavior are all consequences of inadequate education. Therefore, every citizen must pursue education not only for themselves but as a form of social accountability. This is especially important in democratic societies, where only educated citizens can make informed decisions and drive societal progress.

While children have the right to education, ensuring that they benefit from this right is the responsibility of their parents. In Uzbekistan, this responsibility is not only a moral obligation but also a legal one. If a parent neglects their child's compulsory education, they may be held legally accountable.

Article 23 of the Law “On the Guarantees of the Rights of the Child” states that every child, regardless of ethnicity or social status, has the right to education. The state must actively guarantee this right through free and compulsory education. Parents, in turn, must participate as responsible figures in the realization of this right.

Article 47 of the Administrative Liability Code of the Republic of Uzbekistan defines not only the responsibilities of parents or guardians in ensuring a child's upbringing and education but also the specific administrative penalties if these responsibilities are not fulfilled. Through this provision, the state takes strict measures to prevent deprivation or obstruction of a child's education, thus creating a legal mechanism to protect the right to education in practice. This indicates that parents are not only morally but also legally responsible for ensuring this right.

Furthermore, according to the International Labour Organization (ILO), one of the main reasons for child labor is the lack of access to education. This diminishes the potential of future generations and increases social inequality.[15] Therefore, states must not only guarantee the right to education but also develop mechanisms that compel citizens — especially parents — to ensure their children attend school.

Viewed from this angle, the process of acquiring education does not merely equip a person with knowledge, but also transforms them into a conscious, responsible, and active citizen. This ensures the social stability and innovative environment needed for the development of society. Hence, the pursuit of education must be promoted as a civic duty of every individual.

Although the right to education is one of the fundamental human rights, its full realization also requires the individual's awareness of their responsibility. The concept of human rights encompasses not only freedoms but also the duties necessary to actualize those freedoms in practice. In the field of education, this balance is especially important: the opportunities provided by the state must be matched by the individual's responsibility to make use of them.

One of the fundamental responsibilities of the state is to ensure the practical realization of the right to education for its population. This involves not only establishing legal guarantees but also developing infrastructure, training qualified educators, improving curricula, and ensuring equal access to education.

For example, in Uzbekistan's Law “On Education,” the state is tasked with guaranteeing free and compulsory general education, creating special conditions for children with limited abilities, and improving the quality of education. At the same time, the right to education is not merely an opportunity, but is closely linked to the individual's active participation — that is, their willingness and initiative to exercise this right. For instance, if a person (or a parent) has the opportunity to attend school but does not utilize it, the right effectively loses its power. This clearly demonstrates the need for balance between rights and responsibilities. Every citizen must be aware of their right to education and exercise it responsibly. In this process, conscious engagement, independent choice, and initiative are of great importance.

Furthermore, the existence of cooperation mechanisms between the state and society also strengthens this balance. For instance, institutions such as local self-governance bodies, public organizations, non-governmental educational institutions, and parent committees contribute to the improvement of the education system and reinforce the connection between rights and responsibilities.

Thus, the right to education forms the foundation of a strong civil society. Realizing this right depends not only on the conditions created by the state but also on the individual's own activity, ambition, and sense of responsibility. For this reason, the field of education is a dynamic and complex system that requires constant balance.

Although the right to education is recognized at the international level, its practical implementation varies across countries. In particular, the establishment of compulsory education systems and the failure to adhere to them lead to numerous practical challenges.

Compulsory education systems are introduced by states to guarantee children's right to education and to ensure social equality. For instance, in Germany, education is compulsory for children between the ages of 6 and 16, and failure to comply with this requirement results in legal consequences. [16] In Uzbekistan, according to the Law "On Education," 11 years of general secondary education is mandatory. In this case, the state is not limited to organizing school operations but also takes steps to warn and, if necessary, impose administrative liability on parents who fail to send their children to school.

Nevertheless, in many countries — especially developing nations — despite the presence of compulsory education systems, many children remain out of school. According to UNICEF, 244 million children and adolescents worldwide are not attending school. This alarming figure reflects weaknesses in the practical implementation of education systems. [18]

In Central Asian countries, including Uzbekistan, there are regions where children still do not attend school. Several factors may contribute to this: poor socio-economic conditions, low household income, labor migration, or parental neglect of the importance of education. In some cases, the lack of infrastructure for children with disabilities or the long distances to schools in rural areas also pose significant barriers.

Gender-related issues are also among the reasons for exclusion from education. In particular, early marriage and traditional attitudes leading to girls being withdrawn from school remain problematic in some areas. This issue is not unique to Central Asia but is common across many developing countries.

Therefore, it is crucial not only to provide legal guarantees but also to implement practical measures, strengthen social support mechanisms, conduct awareness campaigns, and work systematically with parents to overcome these challenges. Otherwise, the right to education will remain a theoretical concept rather than a lived reality.

Conclusion

In conclusion, education is not only the foundation for personal development and freedom but also the foundation for the progress and stability of society as a whole. A democratic society cannot be imagined without knowledgeable, conscious, and responsible citizens. For this reason, education is recognized as a right for every individual — a recognition that imposes the obligation on states to ensure and protect this right. However, it must not be forgotten that exercising this right is not an automatic process. It is realized only through an individual's active participation, conscious choice, and responsible approach.

Everyone has the right to education. But this right also entails a responsibility to society. A knowledgeable individual not only improves their own life but also contributes to enhancing the quality of life for the entire society. Therefore, education is not just a right — it is a social consciousness and a civic duty.

The balance between rights and responsibilities plays a decisive role in this context. These two concepts are not contradictory but rather complementary and reinforcing. Only through this harmony can the true goal of education — the formation of a free, creative, and responsible individual — be achieved. On this basis, every person should value the opportunity to receive education and actively strive to realize it.

Financial support and sponsorship: Nil

Conflicts of interests: There is no conflict of interest

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