

Vera Institute of Justice

Criminal Justice Issues and Prisoners' Rights

<https://www.vera.org/blog/education-is-a-human-right-opportunity-to-follow-international-law>

Public Facing Advocacy Writing

International laws declare education to be an inherent human right. The [Universal Declaration of Human Rights](#) and the [International Covenant on Economics, Social and Cultural Rights](#) both establish the right to free primary education that is accessible for all. Equitable access to higher education is also emphasized. According to these human rights laws, education helps humans reach their highest potential; it is a means by which they can attain empowerment, freedom, and yield other developmental benefits. The [United Nations Educational, Scientific, and Cultural Organization](#) adds that education is a powerful tool by which economically and socially marginalized adults and children can lift themselves out of poverty and participate in society as full citizens.

Yet, access to quality education is significantly limited for many in the United States, where more money is spent on the prison system than on the education system. In other developed countries, public schools normally receive funding based on the number of students enrolled, in both rich and poor neighborhoods alike. However, the [United States funding mechanism](#) for primary education relies heavily on local wealth. This method generates disparities that specifically affect those students most in need of the promise education holds for them. In addition to the poor quality of the educational system itself, schools in low-income communities of color frequently have harsh school discipline policies that have been shown to drive students out of school and towards incarceration.

Once in prison, the deprivation of human rights can continue. In 1971, the inhumane living conditions at New York's Attica prison gave rise to a [civil and human rights protest](#) led by those incarcerated in the facility. In addition to the overcrowding, unsanitary conditions, and lack of grievance procedures, the protesters objected to the lack of reading materials and lack of opportunity to participate in education. The state responded to this uprising with a raid by state troopers that resulted in the tragic deaths of 29 incarcerated people and 10 others, and the torture of other incarcerated people who were injured in the raid. After this horrific event, some modest prison reforms were implemented to ensure the humane treatment of incarcerated people. These reforms included access to high school equivalency and college level courses. But these hard-won human rights victories were severely diminished in 1995 when access to New York's Tuition Assistance Program (TAP) was stripped from people who are in prison.

A new report, due to be released on May 12, explores the benefits of reinstating TAP funding for people in prison. The report conveys the plethora of benefits particularly health benefits of participating in postsecondary education in prison for the individuals, their families, and communities. Though not explicitly, the report also parallels international laws. Just as health is a human right, education is a human right that should be available without discrimination or exclusion if we wish to achieve a just society.

Since 2012, the Vera Institute of Justice, through our leadership of the national [Pathways from Prison to Postsecondary Education Project](#), has provided selected states with incentive funding and technical assistance to expand access to higher education for people in prison and those recently released. The Pathways Project seeks to demonstrate that access to postsecondary education, combined with coordinated reentry services, can increase educational credentials, reduce recidivism, and increase employability and earnings. The project also aims to spur long-term public investment and national replication. In building on this work, Vera was recently selected by the U.S. Department of Justice's Bureau of Justice Assistance to provide an online resource center and training and technical assistance to state departments of corrections as well as state and local policymakers interested in implementing college-in-prison programs. This new initiative is called the [Expanding Access to Postsecondary Education Project](#).

The time is now to fully recognize education as a fundamental and universal human right. Increasing access to high quality postsecondary education for incarcerated individuals, an overwhelming majority of whom will be returning to the community, ensures that they have the tools to build better futures for themselves, their families, and their communities.

To access more information from the report, visit: <http://turnonhetapny.org/> on May 12.

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