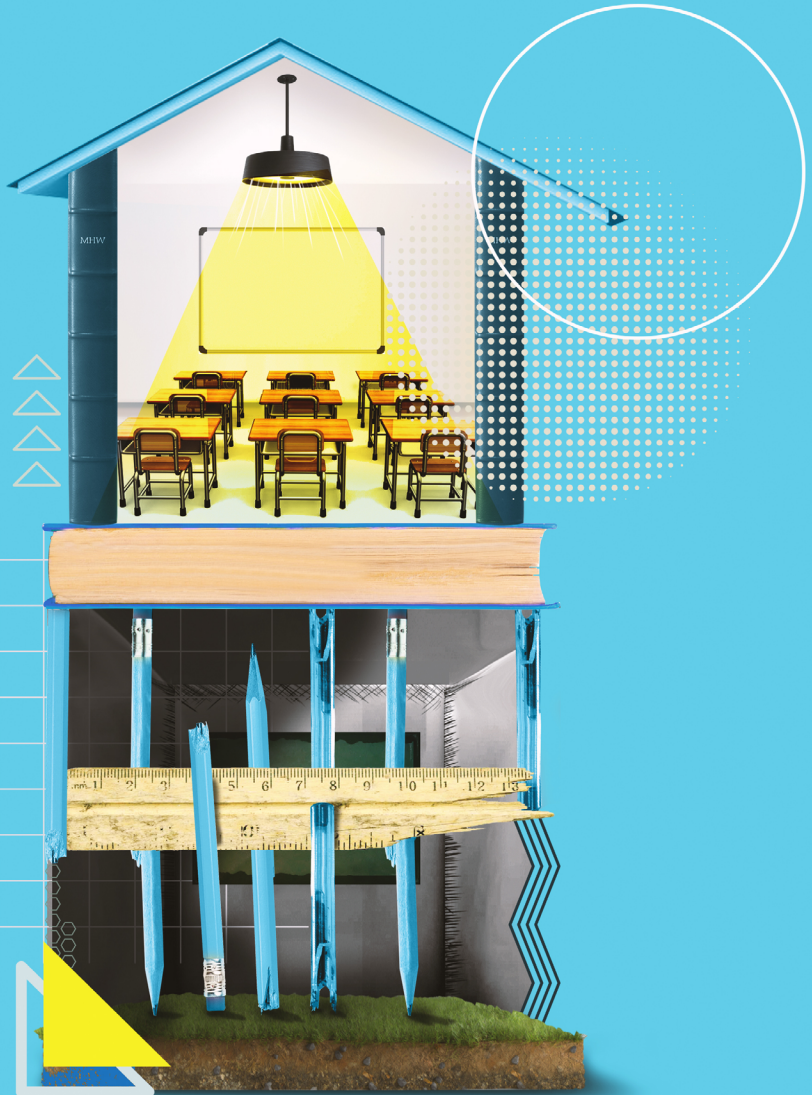


Education in Bahrain: Discrimination Prevails over Excellence





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Introductory

A human being is born with inherent and acquired rights. Everyone is entitled to enjoy their fundamental rights that include the right to life, security, physical safety and education. The right to education is a fundamental right for everyone and could not be violated under any pretext. It is one of the rights that governments shall ensure, guarantee and regulate. The right to education shall be achieved on the basis of equality and non-discrimination based on race, color, religion, sex or language. Education is a necessity of life in which all aspects of life develop. Also, the quality of education has become one of the most important Sustainable Development goals

As education has been recognized by the international community, it has been asserted in many international human rights agreements and principles, starting from the Universal Declaration of Human Rights to imposing commitments on UN Member States to harmonize their .legislation and guarantee the right to education

Education aims at eliminating ignorance, illiteracy and building societies. It is an essential pillar for the progress and development of societies; it brings justice, equality and equal opportunities for all individuals. It is worth noting that education is also of huge significance in the lives of prisoners as it seeks to educate, rehabilitate and reform them. It not only helps alleviate the troubles of life in prison, but also to reduce the psychological stress. Moreover, the UN Standard Minimum Rules for the Treatment of Prisoners

(Nelson Mandela Rules) have given much significance to the right to education as a mean to help prisoners overcome the difficulties of life during prison time

This report highlights the most prominent violations to the right to education in Bahrain in general, as well as denying prisoners this right. In writing the report followed analytical methodology of legal and human rights texts as well as on monitoring of some facts and cases

I. Overview on International Law

In Article 26, [the Universal Declaration of Human Rights](#) stipulated that education shall be free and compulsory in elementary stages. Member States should facilitate admission to higher education that shall be equally accessible to all on the basis of merit. [The International Convention on the Elimination of All Forms of Racial Discrimination](#) also stipulated in Article 5 that racial discrimination in all its forms shall be eliminated. It provides for the importance to guarantee the right to education for everyone, without distinction as to race, colour, or national or ethnic origin, to equality before the law, notably in the enjoyment of the following rights:....., including the right to education and training (e) (v). Also, Article 7 of the Convention called on States Parties to adopt immediate and effective measures to combat racial discrimination

[The Convention against Discrimination in Education](#) has adopted a much more detailed approach on protecting the right to education and combating discrimination, as in Article 1 it defined discrimination as a 'preference' based on race, colour, sex, religion, or opinion, etc.. It also defined forms of discrimination in education as including: depriving any person or group of persons of access to education of any type or at any level, or discrimination in the level of education, or establishing separate educational systems or institutions for persons or groups of persons subject to the provisions of Article 2 of this Convention), or inflicting conditions which are incompatible with the dignity of man. In provision (2), the Article referred to education as including all types and levels of education, and access to education Article 3 of the Convention also stipulated that States Parties undertake to eliminate all forms of discrimination within the meaning of the Convention, including: To abrogate any provisions and instructions and to discontinue any practices which involve discrimination in education; To ensure, by legislation that there is no discrimination in the admission of pupils to educational institutions; Not to allow any differences of treatment by the public authorities between nationals, except on the basis of need; Not to allow, in any form of assistance granted by the public authorities to educational institutions, any restrictions based solely on the ground that pupils belong to a particular group; in addition to giving foreign nationals the same access to education as that given to their own nationals

II. Overview on Bahraini laws

Legislation in Bahrain, including [the National Action Charter 2001](#), stipulates the right to education. The Charter affirms the principles of justice, equality and equal opportunities for all citizens without discrimination. It also affirms that there shall be no discrimination on the basis of sex or colour as humans are equal in rights and duties. The Charter attached considerable importance to education as it asserted that education is a basis necessity for any country's development and through it the country secures the future of its people by investing in the human mind. This was also affirmed by the [Constitution of Bahrain](#) in its Article 7, which stipulated that the right to education shall be regulated in all public and private educational institutions for all citizens. Education is compulsory and free in the early stages. The Constitution highlights the importance of encouraging scientific research by the State. The State also guarantees the inviolability of the places of learning. Moreover, Article 4 of the Constitution affirms equality of opportunities for all citizens with no discrimination.

Bahraini laws has adopted this path set forth by the Constitution and the Charter. Education is a human right for all without any discrimination. Article 2 of [Law No. \(27\) of 2005 concerning education](#) provided that education is a right guaranteed to all citizens. Article 6 stated that basic education is a right for children. Article 7 added that education is free of charge in basic and secondary government public schools.

In addition, [the Law of Reform and Rehabilitation](#) Institution that is concerned with regulating prisons, establishes the right of prisoners to receiving education, all of which is stipulated in the [Executive Regulations](#) of the law

III. Discrimination in school religion curricula

The [Constitution of Bahrain](#) stated that the religion of the State is Islam and that Islamic Shari'a is a principal source for legislation. It also stated that freedom of conscience is absolute. Religious education is part of Bahrain's basic education; primary, elementary and secondary stages. Although the Charter and the Constitution have both affirmed the right to education without discrimination and that this right should take into consideration the sects and religions, Bahrain has not respected nor sectarian affiliations nor religious differences. The government of Bahrain imposed the teachings of the Sunni-Maliki school on public and private schools. Religious curricula does not include teachings of the Shia-Jaafari school nor any other Sunni sect. This applies to public and private schools. In its efforts to change this stereotypical picture and reduce such violations, the government opened two religious institutes, one for Sunnis and the other for Shiites. However, the attempt did not address the violation. It only made it worse as the institutes are not equipped to accommodate all students wishing to enroll, whether in terms of number of students or distance given the fact that the two institutes

are based in Manama

[According to the US Department of State report](#), Muslims in Bahrain make up 73.7 percent of the total population. However, the government does not publish statistics regarding the sectarian breakdown between Shia and Sunni Muslims. Most estimates from NGOs state Shia constitute a majority (55 to 60 percent) of the citizen population

All students have the right to receive religious education according to their religion or sect, regardless of their share of the population. Shia citizens and students have the right to fully receive education according to their sect, as is the case with other Sunni students

One of the most appalling forms of discrimination in religious curricula is the fact that students are obliged to study books that contradict their religious beliefs. The curriculum of Islamic education decided by the Ministry of Education is full of such blatant violations that reinforce the sectarian approach

IV. Discrimination in quality of education among different schools

Believing that the quality of education is the most effective way for reforming education, Bahrain has given it a considerable space and even allocated special budgets in this regard. However, the reality of education has not changed due to different factors that all fall under the umbrella of discrimination. Services that the Ministry of

Education is supposed to be providing to schools are not equally distributed. Discrepancy in the speed and implementation of these services prevailed as per certain and unannounced criteria, the most important being the schools' geographical location. Riffa schools were given the priority, followed by schools in Muharraq then other schools. However, schools in Shia villages are at the end of the list. A non-educational conduct has repeatedly occurred to cover the poor performance of schools. Shia teachers were forced to move to these schools so that the Education and Training Quality Authority gives an evaluation based on the performance of the teachers that were forced to move to the schools under the implicit threat of punishment. School environment is one of the factors that have direct impact on the quality of education. Based on the status of schools and their geographical locations, it has become clear that new schools are not being built in areas with Shia majority despite pleas of people and promises from authorities to do so; one of the most significant examples is Al-Sanabis Primary Girls School. Teachers are the heart and soul of the learning process and are a crucial part of assessing the quality of education. However, the Kingdom of Bahrain tends not to employ graduates in the annual job vacancies but resorts to employing foreigners without making any vacancy announcements inside the kingdom knowing that 91 percent of the unemployed teachers are Shiites. The policy of discrimination is being practiced inside schools against Shia teachers. For no concrete reasons, their rewards and promotions (which are crucial

for improving education) are often taken away from them

V. Discrimination in the distribution of grants and scholarships

The Kingdom of Bahrain used to attach great importance to education, through offering scholarships and grants to deserving graduates to pursue their university studies in the specialization they want to major in, according to certain criteria. Before 2011, the Ministry of Education used to publish the results of the distribution of scholarships and grants in local newspapers. However, since 2011, the Ministry deliberately conceals the names of beneficiaries of the scholarships. This is still happening today

The Ministry distributes scholarships and grants without announcing nor the beneficiaries list neither the selection criteria. It has become like a top secret subject to the evaluation of the Scholarship Distribution Committee. In 2011, the Ministry of Education has introduced a personal interviews system in which interviews make up 40 percent of the overall evaluation that qualifies students to receive scholarships

The Bahraini Teachers' Association stated that in 2015 there was a huge number of students who did not get any of the first three major preferences (as per the scholarships system) despite of their academic marks of over 99 percent. Moreover, some of them did not get any grants; they only received scholarships that do not even cover 10 percent of

the cost of studying

[The Teachers Association](#) noted that 2015 was the year of discrimination in scholarships as religious discrimination has prevented 127 students from obtaining scholarships. Also, 387 students were not given the opportunity to choose any of the first three preferences from the choices of scholarships

In the academic year of 2015- 2016, a study was conducted on 146 male and female students with GPAs ranging from 95 to 99.2 percent. The outcome was as follows: (survey conducted by Bahraini Teachers Association) 33.6 percent of students deprived of scholarships

- 17.8percent got the first academic preference
- 0.7percent got the second academic preference
- 4.1percent got the third academic preference
- 77.4percent of the students were deprived of the first (three preferences (from the choices of scholarships

Cases monitored

- Jalila Abdul Jalil Hassan, who scored the 11th place in Bahrain with a GPA of 99.2%, will not study medicine, although three of her schoolmates who also scored the 11th place received scholarships to study medicine. This is the second case in Jalila's family, as two years earlier her sister was also deprived of a medicine scholarship
- Zeinab Al- Sayed Mohammad Mahdi, who ranked 17th on the honors list was also not granted a medicine

scholarship

- Mother of a female student said that her daughters family name- Al Khawaja- was the reason behind excluding her despite her scoring a GPA of 99 percent
- Some brilliant students with grades over 99 percent who should have had the opportunity to choose their first preference (as per the Ministry of Education's criteria), published videos with pleas to consider their surprising cases that show that the discriminatory and exclusionary practices are still going on

The interviews-based system allows for manipulation in the distribution of scholarships as the sectarian character predominates the interviews. There is also no transparency in the distribution of scholarships as the names of outstanding students and the names of the beneficiaries are not published. What is shocking is the fact that remarkable students with high grades are deprived of choosing their preferred majors as well as of scholarships. Hopes of receiving scholarships have long faded away as Bahrain insists on taking the path of favoritism and sectarian discrimination

VI. Depriving prisoners and detainees the right to continue their education

[The Law of Reform and Rehabilitation Institution No.18](#)

of 2014 has regulated the right of prisoners to education and to continue all the education levels. This is stated in Chapter 3- Part 2 (articles from 23 to 26). In coordination with the Interior Ministry, the Ministry of Education oversees the education of inmates and sets scientific and vocational curricula. The Ministry also allows prisoners to continue their school or university studies, should they wish to. The Ministry of Interior's Directorate of Reformation & Rehabilitation is in charge of setting up vocational programs. The relevance of the constitutional text and the legal regulation is demonstrated by its application in real life when everyone is entitled fully to their rights. Unfortunately, the prison administration deliberately deprives prisoners of their right to education and to continue their academic studies. Although the Law of Reform and Rehabilitation Institution guarantees the academic and vocational education and its [mechanisms](#), Bahrain only applies the vocational training ignoring the academic education

Many prisoners wish to continue their academic studies and file a request to the prison administration that just ignores their demands. With academic education being out of reach for many prisoners, the right to education is clearly violated. The prison administration sometimes resorts to accepting the requests filed by prisoners then imposes a ban on books. It also refuses the transfer of prisoners to the exam locations under any pretext

In addition to what has been said, the prison administration imposes a type of education that suits its interests. This is obvious in the fact that most prisoners are denied the

right to continue their industrial studies and are forced to either change the specialization or abandon their studies just because the administration is not willing to offer such a type of education

If we dig deep into [the United Nations Standard Minimum Rules for the Treatment of Prisoners](#), Nelson Mandela Rules, we see that the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty. As a result, the education system for prisoners in Bahrain is limited to vocational education. The educational system of the country is not consistent with the education of prisoners. This results in lost opportunities for prisoners who have the potential to continue their studies during the prison time, improve their educational level, continue their studies after their release and improve their future career prospects. It is worth noting that prisoners are not allowed to pursue their college education, except for a very few cases. This results in prisoners losing years of their lives with no education

VII. Summary of report and recommendations

A. Summary of report

This report concludes that there are many problems in the education system in Bahrain. First, the issue stemming from the way the country approaches religious curricula with a

sectarian approach that is not consistent with the country's culture, norms and laws. Second, the problem of the quality of educational services and the way the Ministry of Education discriminates between schools located in the Shia villages and those located in the Sunni areas. There's a deliberate and systematic discrimination in dealing with Shia schools. Third, discrimination in hiring Shia teachers as the Ministry employs foreigners rather than Bahrainis. Fourth, severe violation of prisoners' rights (including political prisoners) is another story in Bahrain; they are deprived of education and of pursuing their studies despite the fact that there are laws regulating education for prisoners

B. Recommendations

The government of Bahrain should abandon its sectarian discrimination policy, whether in curricula or in providing scholarships and financial grants. It also should provide educational services equally among all schools without any discrimination between Shia and Sunni schools. We call on the government of Bahrain to commit to organizing the educational process for prisoners and providing them with the educational environment in all its levels (including the college level). We call on the government to adopt a transparent approach in the hiring process of teachers as well as in promotion and rewards offered to them