

## HUMAN RIGHTS

### Why read this text ...

The concept of human rights draws on ideas of shared ethical and moral values that apply to all cultures. Human rights comprise both a discourse about protection from violation of civil, political, social, sexual and economic rights and a set of institutions and political processes that involve entitlements and claims. Both approaches are shaped by legal language drawn from international law and legal statutes as well as international conventions and national constitutions. Both convey a tension between collective and individual rights, and a conflict between social justice and national security.

Although human rights involve universal claims, they always take place in particular local contexts. Anthropological approaches thus explore how human rights are produced, perceived and materialized in particular empirical contexts. , man rights are not viewed as a moral absolute or a legal norm, but rather as a dynamic social and political practice that can be manipulated to promote particular political projects as pursued by individuals, groups, communities, states, or other collective agents (Wilson 1997).

Education is perceived and identified by international bodies and organizations as a basic human right protected by national legislation and international agreements. Every individual, irrespective of race, nationality, gender, ethnic, religion or political preference, age or disability, is entitled to a free education. This right is associated with a state's concern and responsibility to secure and support access to formal education for all its citizens. Not securing physical access to a school facility for children with disabilities is seen as a denial of the right to education, for which state institutions are held accountable (Clapham 2007: 123-127).

### Historical Context

Social sciences have approached human rights on the basis of a dichotomy between universalism and relativism (Eriksen 2001). Human rights are universal in that they ideally apply to all human beings. Yet human rights are also relative in that they are a particular product of modern European intellectual thought. There can be no universal notion of rights that lies beyond a specific cultural and historical context, because all societies have their own concepts of justice and rights.

Equally intrinsic to the idea of human rights is the dichotomy between collectivist and individualist claims to rights, as reflected in the philosophical debate between communitarianism (Taylor 1992) and liberalism (Rorty 1991). The former claims that the community is prior to the individual, while the latter defends the rights of the individual over the community. A combined approach, liberal multiculturalism, is offered by Will Kymlicka who attempts to do justice to both (1995).

Sociocultural anthropology took a systematic interest in the study of human rights in the early 1990s as a response to the historical and geopolitical changes that took place largely after the end of the Cold War. The international community's focus on cultural diversity

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brought the issue of human rights into the centre of political negotiations between groups and political institutions at local, national and supranational levels (Messer 1993).

Investigating the universal character (ethos?) of human rights, Renteln concluded that there is no empirical evidence that any cross-cultural universals can be found to support international human rights standards (1990). On the contrary, there are vast variations between societies concerning what is regarded as right and wrong.

Various individual and collective actors struggle for rights, either as a way to confront oppressive national projects and assimilation policies intending to impose cultural homogeneity, or as a way to access social goods such as freedom of belief, recognition of a distinctive group identity, or material resources, (Cowan, Dembour, & Wilson 2001, Wilson & Mitchell 2003).

Contemporary anthropological approaches to human rights explore how local people appropriate rights discourses and practices by both drawing on and submitting to global discourses. They also explore the kinds of conflicts that arise as a result of attempts to implement human rights in different societies (Goodale 2006, Wilson 1997).

## **a) Discussion**

The relationship between education and human rights can be approached from two different angles: education as a fundamental human right and human rights education. The former perspective addresses the potential of human rights to provide a framework for enabling greater educational inclusion in contexts of diversity. The latter looks at how to educate teachers and students in human rights issues as a way of empowering them to deal with the social injustice of the contemporary multicultural world.

International organizations and national states that adhere to the idea of human rights perceive access to education as a universal right to which all human beings are entitled, an indispensable means of realizing other human rights. Human rights institutions state that humans are entitled to an education that is rights-respecting. Respecting the right and supporting access to education is seen as an essential and integral part of democratic citizenship in multicultural societies (Covell & Howe 2005).

Human rights education is often described as an education in, for and about human rights. It is education in the epistemologies and philosophies of human rights taught in a mode consistent with the principles of human rights. It should empower learners to vindicate their individual or collective rights in ways that acknowledge responsibilities and shows respect for the rights of others. Flowers' (2004) has identified four key aspects of human rights education: 1) it is grounded in the principles of human rights treaties, 2) it uses methods which reflect the principles of respect for individuals and cultural diversity, 3) it addresses skills and attitudes as well as knowledge and 4) it involves action at an individual, local or global level.

Factors contributing to a growing interest in human rights education are an increasing diversification of local communities and international recognition of the need to address through education the challenges presented by continuing injustice and inequality in the world (Osler and Starkey 2006).

This is linked with democratic ways of working and with the empowerment of individuals

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and groups (Magendzo, 2005). Two aspects have been given particular attention as significant for human rights education in formal schooling: curriculum requirements and teachers' attitudes and knowledge.

## **b) Practical Example**

In a case study from Mexico, Sainz (2018) examined the professional knowledge and practices of educators implementing human rights education programmes. She explored the strategies of human rights educators facing an alarming crisis of violence, the increasing levels of abuse and violent incidents affecting children in the country. Fifteen educators – nine women and six men – working in three different organizations collaborated in the study. They collected data over a period of six months using various qualitative research techniques (semi-structured interviews, participant observations document analysis). Sainz found that teaching in violent contexts forces educators to realize that human rights are far from reality, and to acknowledge the wide gap between the aspirations of these rights and their actual implementation. This discrepancy allows educators to question the purpose of human rights, to challenge their underlying assumptions and confront their limitations. By doing so, they not only make sense of human rights, but also develop a critical grass-roots pedagogy for human rights education that accepts the limitations of human rights, embraces their complexity and emphasizes their liberating possibilities. By making human rights accessible to children, educators are empowering them to identify and stand up against violations and abuses of their rights. By favoring a practical approach over a theoretical one, educators are fostering the development of the practical skills that children and young people need to protect their rights.

In another study, Quennerstedt (2019) conducted fieldwork to examine human rights teaching and learning in two classes of children aged 8–9 years in Sweden. The schools were both located in middle-class housing areas in a mid-sized Swedish city. There were around 20 pupils in each class, both had even gender distribution and few pupils of non-Swedish ethnicity. The two teachers differed in teaching experience. One had taught in primary school for about 20 years and the other for 4 years. Quennerstedt focused on why teachers and pupils in this age group believe that rights education should be provided in school. She was interested in how children and teacher understood the educational aims of rights education. More specifically, she looked at how teachers perceived the aims of rights-based education at different points in the process, for examples as they transformed their own ideas and curriculum standards into aims. She also looked at pupils' reception of the aims of rights education. Quennerstedt found that teacher and pupil understandings of the aims of rights education were quite similar. Both teachers and pupils acknowledged and emphasized the importance of knowledge about of human rights and the ethical allegiance with human rights ideas and moral imperatives.

## **Thinking further:**

- How are human rights implemented in national educational policies?
- Is education about human rights useful? If yes, in what ways?
- Why do teachers need to be familiar with human rights?



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- Whose values should take precedence in multicultural educational contexts?
- How might schools resolve tensions between children's rights and teachers' rights?

## KEY-WORDS/ CROSS-REFERENCES

Inclusion, exclusion, citizenship, transnationalism, identity, nation-state, culture, schooling

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